

IN THE UNITED STATE DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

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IN RE: INTEL CORPORATION  
MICROPROCESSOR ANTITRUST  
LITIGATION

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)  
) MDL No. 05-1717-JJF  
)  
)

ADVANCED MICRO DEVICES, INC. and  
AMD INTERNATIONAL SALES &  
SERVICE, LTD.,

Plaintiffs,

) C.A. No. 05-441-JJF  
)  
)

v.

INTEL CORPORATION and INTEL  
KABUSHIKI KAISHA,

Defendants.

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PHIL PAUL, on behalf of himself and all  
others similarly situated,

Plaintiffs,

) C. A. No. 05-485-JJF  
)  
)

v.

) CONSOLIDATED ACTION  
)  
)

INTEL CORPORATION,

Defendant.

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**NOTICE OF SUBPOENA AD TESTIFICANDUM  
AND DUCES TECUM OF DAVID P. KAPLAN**

PLEASE TAKE NOTICE that, pursuant to Rule 26, Rule 30, and Rule 45 of the Federal Rules of Civil Procedure, a subpoena *ad testificandum* and *duces tecum* has been or will be served on Defendants' designated expert David P. Kaplan, c/o David M. Balabanian, Esquire, Bingham McCutchen LLP, Three Embarcadero Center, San Francisco, California 94111. A true and correct copy of the subpoena is attached hereto.

Class Plaintiffs will take the deposition upon oral examination of David P. Kaplan, before an authorized court reporter, commencing at 9:00 a.m. on May 29, 2009, and continuing on May

30, 2009, at the law offices of Cohen Milstein Sellers & Toll PLLC, 1100 New York Avenue, N.W., Suite 500, Washington, DC, 20005, or at such other time and place as agreed to by the parties. The deposition will continue from day to day until completed and shall be transcribed and videotaped. You are invited to attend and cross-examine the witness.

The subpoena also commands Mr. Kaplan to produce documents, records and other materials described in Schedule A to the subpoena, on or before May 22, 2009, at 9:00 a.m. at the law offices of Cohen Milstein Sellers & Toll PLLC, 1100 New York Avenue, N.W., Suite 500, Washington, DC, 20005, or at such other time and place as agreed to by the parties.

Dated: May 19, 2009

PRICKETT JONES & ELLIOTT, P.A.

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