

June 10, 2009

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VIA ELECTRONIC MAIL

The Honorable Vincent J. Poppiti
Special Master
Fox Rothschild LLP
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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:

AMD and Intel jointly petition for an expedited order allowing the depositions of Hewlett-Packard Company ("HP") current employees Richard Walker, Ted Clark and Scott Stallard, and former Chief Executive Officer ("CEO") Carly Fiorina, to proceed after the June 12, 2009, cutoff for fact discovery. HP has made its best efforts to set non-party depositions of its current and former employees with all due speed. Because of the press of important and unpredictable business, and the personal circumstances of one of these four witnesses, HP cannot provide these witnesses until after June 12 without undue and unnecessary hardship. Thus, an order allowing these depositions to occur after June 12 is appropriate.

The parties and HP have been working diligently over the last five months to schedule and conduct HP depositions. At the parties' request, HP has been working to schedule the deposition of Messrs. Walker, Clark and Stallard. Although HP initially believed that it could produce Mr. Walker for his deposition on June 11, that date now has become inconvenient due to Mr. Walker's pressing business schedule as a senior executive at HP. Similarly, both Messrs. Clark and Stallard are senior level executives, and it is understandably important to schedule their depositions in a manner least disruptive to HP's business activities. Due to HP's status as a non-party in this case, and its diligence in scheduling its busy executives for depositions to date, AMD and Intel have accommodated HP's desire to schedule depositions conveniently.

Ms. Fiorina, the CEO of HP until 2005, was diagnosed with and treated for breast cancer in the winter/spring of 2009. While AMD had properly requested her deposition through the process approved by this Court, the parties agreed with HP to defer her deposition until such time as her treatment and recovery permits. As the parties do not wish to intrude on Ms. Fiorina's personal circumstances, no date has been set for her deposition.

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Accordingly, for the good and legitimate cause shown above, the Court should order that the deposition of Messrs Walker, Clark, Stallard, and the deposition of Ms. Fiorina, proceed as expeditiously as possible after June 12, 2009, at a time and place convenient to HP and the parties.

Respectfully,



Adam Balick
(Bar ID#2718)

AB/kl

Enclosure

cc: Clerk of the Court
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