



WHEREAS, Intel has filed a motion to compel further deposition testimony related to AMD's data preservation practices, and that motion will not be heard until June 15, 2009;

WHEREAS, there exist other actual or potential disputes concerning AMD's evidence preservation that Intel believes may require additional motion practice;

WHEREAS, on June 2, 2009, Intel and AMD engaged in a telephonic meet and confer session to discuss, among other issues, the timing of Intel's potential motions to compel on these matters;

WHEREAS, Intel has advised AMD that it intends to file a motion to compel the production of documents from certain of AMD's preservation tapes, specifically documents from:

(a) the March 19, 2005 Snapshot (as defined in AMD's Backup Tape Retention Protocols) for all AMD production custodians;

(b) AMD's Monthly Backups (as defined in AMD's Backup Tape Retention Protocols) for the 37 individual custodians identified by Intel in its letter to AMD dated April 29, 2009;

(c) AMD's Monthly Backups (as defined in AMD's Backup Tape Retention Protocols) potentially for individuals other than the 37 custodians identified in (b), above, but if and only if the addition of such new custodians is justified based solely on productions of documents made by AMD after April 29, 2009. Intel shall, no later than June 17, 2009, identify to AMD all such custodians and concurrently describe with particularity, and produce information demonstrating, the bases for Intel's proposed addition of any such custodian; and

(d) potentially from other sources for additional custodians, but Intel's selection of any such additional custodians and sources shall be based upon new testimony that Intel

obtains through further deposition, if any, that may be ordered by the Court on Intel's motion to compel scheduled for hearing on June 15, 2009. Intel shall, no later than two weeks after the completion of such further depositions, if any, identify to AMD all such custodians and shall concurrently describe with particularity the bases for Intel's proposed addition of any such custodian.

NOW, THEREFORE, the parties through their respective counsel of record hereby stipulate, subject to the approval of the Court, as follows:

1. AMD agrees that Intel shall not be foreclosed from the relief it may seek in its motion(s) to compel, as defined and subject to the conditions set forth above, if it files such motion(s) after June 12, 2009, the current fact discovery cut-off;
2. Except as provided in the preceding paragraph, AMD reserves any and all arguments and defenses related to the above-referenced motions including, without limitation, any argument related to the timing of Intel's motion(s); and
3. The parties shall continue to meet and confer regarding the content of Intel's potential motion(s) to compel, the timing of the filing thereof, and any associated briefing schedules, and shall apprise the Court of the parties' progress and proposed schedules as this information becomes known.

Dated: June 12, 2009.

POTTER ANDERSON & CORROON LLP

RICHARDS, LAYTON & FINGER, P.A

By: /s/ Richard L. Horwitz

Richard L. Horwitz (#2246)  
W. Harding Drane, Jr. (#1023)  
Hercules Plaza, 6th Floor  
1313 N. Market Street  
P.O. Box 951  
Wilmington, DE 19899-0951  
(302) 984-6000  
[rhorwitz@potteranderson.com](mailto:rhorwitz@potteranderson.com)  
[wdrane@potteranderson.com](mailto:wdrane@potteranderson.com)

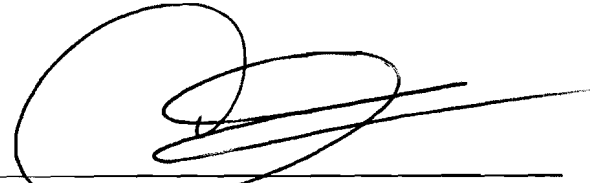
Attorneys for Intel Corporation and  
Intel Kabushiki Kaisha

By: /s/ Steven J. Fineman

Frederick L. Cottrell, III (#2555)  
Chad M. Shandler (#3796)  
Steven J. Fineman (#4025)  
One Rodney Square  
920 North King Street  
Wilmington, DE 19899  
(302) 651-7836  
[Cottrell@rlf.com](mailto:Cottrell@rlf.com)  
[Shandler@rlf.com](mailto:Shandler@rlf.com)  
[Fineman@rlf.com](mailto:Fineman@rlf.com)

Attorneys for Advanced Micro  
Devices, Inc. and AMD International  
Sales & Service, Ltd.

SO ORDERED this 27 day of Sept, 2009.

  
\_\_\_\_\_  
Vincent J. Poppiti (DSBA No. 100614)  
Special Master