

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

IN RE: INTEL CORPORATION
MICROPROCESSOR ANTITRUST
LITIGATION

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

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

Plaintiffs,

v.

)
) Civil Action No. 05-441-JJF
)
)

INTEL CORPORATION and INTEL
KABUSHIKI KAISHA,

Defendants.

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

Plaintiffs,

v.

)
) Civil Action No. 05-485-JJF
)
)

INTEL CORPORATION,

Defendant.

)
) CONSOLIDATED ACTION
)
)
)

**MOTION OF UNION FEDERALE DES CONSOMMATEURS – QUE CHOISIR TO
INTERVENE FOR THE LIMITED PURPOSE OF SEEKING MODIFICATION TO
PROTECTIVE ORDERS; AND**

**APPLICATION PURSUANT TO 28 U.S.C. § 1782 FOR AN ORDER REQUIRING
INTEL AND THIRD PARTIES TO PROVIDE ACCESS TO DOCUMENTS AND
DEPOSITION TESTIMONY FOR USE IN FOREIGN PROCEEDINGS**

Pursuant to Rule 24(b) of the Federal Rules of Civil Procedure, Union Federale des Consommateurs - Que Choisir (“UFC-Que Choisir”) respectfully moves to intervene in this action for the limited purpose of seeking modifications to the Confidentiality Agreement and Protective Orders entered by the Court on September 26, 2006 in the above-captioned actions (the “Protective Orders”, D.I. 276, 277 in 05-MD-1717, D.I. 216 in 05-CV-441 and D.I. 201 in 05-CV-485). UFC-Que Choisir additionally applies, pursuant to 28 U.S.C. § 1782, for an Order requiring defendant Intel and third parties to provide access to documents and deposition testimony for use in foreign proceedings. In support of this motion and application, UFC-Que Choisir relies upon the accompanying brief and the Declaration of Jon T. King.

Dated: April 9, 2008

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| v. |) | Civil Action No. 05-441-JJF |
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| INTEL CORPORATION and INTEL KABUSHIKI KAISHA, |) | |
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| Defendants. |) | |
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| PHIL PAUL, <i>on behalf of himself and all others similarly situated,</i> |) | |
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| Plaintiffs, |) | Civil Action No. 05-485-JJF |
| |) | |
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| INTEL CORPORATION, |) | |
| |) | |
| Defendant. |) | |
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[PROPOSED] ORDER GRANTING:

- 1) MOTION OF UNION FEDERALE DES CONSOMMATEURS – QUE CHOISIR TO INTERVENE FOR THE LIMITED PURPOSE OF SEEKING MODIFICATION TO PROTECTIVE ORDERS; AND**

- 2) APPLICATION PURSUANT TO 28 U.S.C. § 1782 FOR AN ORDER REQUIRING INTEL AND THIRD PARTIES TO PROVIDE ACCESS TO DOCUMENTS AND DEPOSITION TESTIMONY FOR USE IN FOREIGN PROCEEDINGS**

This Court having considered the 1) Motion of Union Federale Des Consommateurs – Que Choisir to Intervene for the Limited Purpose of Seeking Modification to Protective Orders; and 2) Application Pursuant to 28 U.S.C. § 1782 for an Order Requiring Intel and Third Parties to Provide Access to Documents and Deposition Testimony for Use in Foreign Proceedings, and the briefs and arguments submitted thereon,

IT IS HEREBY ORDERED as follows:

1. UFC-Que Choisir’s Motion to Intervene is GRANTED.
2. UFC-Que Choisir’s Application Pursuant to 28 U.S.C. § 1782 is GRANTED.
3. The Confidentiality Agreement and Protective Orders entered by the Court on September 26, 2006 in the above-captioned actions (D.I. 276, 277 in 05-MD-1717, D.I. 216 in 05-CV-441 and D.I. 201 in 05-CV-485) are modified as follows:

(to be added to the section titled “Definitions”): “Q. ‘Third Party UFC-Que Choisir’ means Union Federale des Consommateurs - Que Choisir, a third party granted access to the Confidential Discovery Information of Intel and Third Parties by way of Court order dated _____.”

(to be added to the section titled “Definitions”): “R. ‘EC Proceedings’ means the European Commission proceedings regarding Intel’s alleged abuse of a dominant position in the x86 CPU market.”

(to be added to the section titled “Definitions”): “S. ‘EU Consumer Damages Litigation’ means present or future judicial proceedings in one or more Member States of the European Union and relating to Intel’s alleged abuse of a dominant position in the x86 CPU market contrary to Article 82 of the EC Treaty.”

(to be added to “Terms and Conditions of Protective Order” section): “1a. Third Party UFC-Que Choisir may use Confidential Discovery Material produced by Intel or Third Parties, or information derived therefrom, for purposes of participating in the EC Proceedings and/or preparing or participating in EU Consumer Damages Litigation.”

(to be added to “Terms and Conditions of Protective Order” section, “Access to Confidential Discovery Material” subsection):
“6.(i) Third Party UFC-Que Choisir, who may receive Confidential Discovery Material produced by Intel or Third Parties, or information derived therefrom, for purposes of participating in the EC Proceedings and/or preparing or participating in EU Consumer Damages Litigation.”

(to be added to “Terms and Conditions of Protective Order” section, “Access to Confidential Discovery Material” subsection):
“6.(j) The European Commission, by Third Party UFC-Que Choisir for purposes of participating in the EC Proceedings.”

(to be added to “Terms and Conditions of Protective Order” section, “Access to Confidential Discovery Material” subsection):
“6.(k) Any court or tribunal or related personnel in any European Union Member States, by Third Party UFC-Que Choisir for purposes of participating in any EU Consumer Damages Litigation, subject to filing it under seal in such forums pursuant to paragraphs 21, 22, and 23 of this Order.”

(to be added to the “Terms and Conditions of Protective Order” section, “Third Parties” subsection. Non-bold text is in original, **bold text to be added**): “Nothing in this Order shall be construed to allow any Third Party to obtain access to any Confidential Discovery Material produced by any Party, Class Party, or other Third Party, **except that Third Party UFC-Que Choisir may obtain access to Confidential Discovery Material produced by Intel or Third Parties, or information derived therefrom, for purposes of participating in the EC Proceedings and/or preparing or participating in EU Consumer Damages Litigation.**”

SO ORDERED THIS ____ DAY OF _____, 2008

UNITED STATES DISTRICT JUDGE