

Protective Order, and Intel Corporation's ("Intel's") Cross Motion to Compel Discovery, all concerning Intel's discovery related to AMD's evidence preservation;

WHEREAS, during that hearing, the Court and the parties reviewed discovery issues outlined by the Court and delivered to the parties on September 10, 2008, in the form of a summary chart of certain specific purported evidence preservation issues and related discovery (hereafter, the "Court's Summary Chart"), and also discussed certain related issues raised by Intel and AMD as set forth in the transcript of that hearing;

WHEREAS, the Court directed the parties to establish a schedule for informal disclosure of information (including witness interviews and document productions) and meet and confer sessions related to AMD evidence preservation and, thereafter, for appropriate discovery, including under Fed. R. Civ. P. 30(b)(6), with time limits to be established hereafter by the Court; and

WHEREAS, the parties have met and conferred regarding the scheduling of such informal disclosure of information, meet and confer sessions and deposition discovery, and have reached agreement regarding a proposed schedule for such matters, as well as a proposed date for a status conference.

NOW, THEREFORE, IT IS HEREBY STIPULATED BY AND AMONG AMD AND INTEL, THROUGH THEIR RESPECTIVE COUNSEL AND SUBJECT TO APPROVAL OF THE COURT, AS FOLLOWS:

1. Through and including October 31, 2008, the parties shall engage in informal disclosure of information, including, but not limited to, witness interviews, document productions and, if agreed to between the parties, AMD's provision of written summaries or other specially-prepared data relevant to the matters in issue as specified in the Court's Summary

Chart, and as discussed at the hearing and during the informal disclosure of information (hereafter, the “Informal Information Disclosure Period”).

2. During the Informal Information Disclosure Period, AMD shall produce appropriate witnesses and documents related to the issues that are a proper subject of informal disclosure of information as identified in the Court’s Summary Chart, or to issues raised by Intel at hearing and, if agreed to by the parties, other issues that may arise during the Informal Information Disclosure Period.

3. The parties shall work cooperatively together in good faith to prioritize and schedule the foregoing informal disclosure of information, taking into account the schedules of counsel and witnesses. The October 31, 2008 deadline of the Informal Information Disclosure Period may be truncated or extended as necessary based upon agreement of the parties and the parties’ application to, and order of, the Court, or as the Court otherwise may order.

4. During the Informal Information Disclosure Period, the parties also shall meet and confer regarding the proper scope and topics of Rule 30(b)(6) deposition(s) to follow thereafter.

5. On November 6, 2008, this Court shall hold a status conference regarding these discovery matters. In anticipation of this status conference, no later than November 5, 2008, the parties shall file a joint report with the Court that shall provide a written summary of at least the following information: (a) the parties’ activities during the Informal Information Disclosure Period, including issues in dispute, if any; (b) the scope of, and issues for, Rule 30(b)(6) deposition or depositions; (c) any disputes between the parties and a brief summary of the parties’ respective positions regarding the scope of, and issues to be subject to, Rule 30(b)(6) depositions; and (d) Intel’s estimate of time necessary to conduct and to complete the Rule 30(b)(6) deposition or depositions, and AMD’s response thereto.

6. Thereafter and subject to any Court order related to issues raised at the November 6, 2008 hearing, the parties shall schedule and Intel shall conduct Rule 30(b)(6) deposition(s) (hereafter, the "Deposition Period"). The parties shall work cooperatively together in good faith to schedule, take and complete any such depositions by December 19, 2008, taking into account the schedules of counsel and witnesses and the time allocated by the Court for such deposition(s). The December 19, 2008 deadline of the Deposition Period may be truncated or extended as necessary based upon agreement of the parties and the parties' application to, and order of, the Court, or as the Court otherwise may order.

7. After the completion of the Rule 30(b)(6) deposition(s), a status conference regarding the status and completion of discovery, issues in dispute, and any anticipated motions shall be scheduled for a time convenient for the Court and the parties.

Dated: September 19, 2008

RICHARDS, LAYTON & FINGER, P.A.

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ORDER

IT IS SO ORDERED this _____ day of _____, 2008.

Vincent J. Poppiti (#100614)
Special Master