

WHEREAS, on or about March 1, 2007 the Court entered the Second Amended Stipulation Regarding Electronic Discovery and Format of Production (hereinafter, the "Native Format Stipulation");

WHEREAS, Paragraph 5(b) of Case Management Order No. 3 establishes TIFF limits for each party which specify the number of documents furnished by the other side that each party may self-TIFF;

WHEREAS, the second sentence of Paragraph 5(d) of Case Management Order No. 3 provides: "TIFFs subject to this paragraph that are furnished to and considered by a testifying expert shall be identified and provided to the other side no later than the time the expert is required to furnish a written report pursuant to F.R.C.P. 26(a)(2)(B), but only those documents an expert relies upon (which will be so identified to the other side at the time the witness furnishes his report) will count against the sponsoring party's TIFF limit.";

WHEREAS, AMD, Class Plaintiffs and Intel want to establish an agreed procedure for exchanging all documents furnished to or otherwise considered by each party's experts, including but not limited to the TIFFs created pursuant to the self-TIFF provisions of Paragraph 5 of Case Management Order No. 3; and

WHEREAS, AMD, Class Plaintiffs, and Intel have agreed, as set forth herein, to such a procedure.

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

1. The second sentence of Paragraph 5(d) of Case Management Order No. 3 is modified to provide as follows: Within seven days of the exchange of an expert's report, the sponsoring party will provide a DVD or other similar media containing TIFFs (along with a load file consistent with the requirements of Paragraph 25 of the Native

Format Stipulation) of all documents furnished to or otherwise considered by that expert excluding only (a) databases exchanged during discovery that were considered by the expert and (b) publicly available documents (such as books, articles, etc.) which the sponsoring party will identify.

2. This stipulation is not intended to abrogate or modify the limitations on expert discovery set forth in the May 11, 2007 Amended Stipulation and Protective Order Regarding Expert Discovery.

3. Only adverse-party documents on which the expert relies shall be counted against that party's TIF limit. TIFs of the documents on which the expert does not rely shall be numbered in a manner to permit them to be easily distinguished from TIFs on which the expert does rely and other TIFs counting against that party's TIF limit, and no such document shall be used at any deposition unless and until properly redesignated and TIFed pursuant to this paragraph.

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Having read and considered the foregoing Stipulation and Proposed Order
Regarding Exchange Of Documents Considered By Experts, the Special Master
HEREBY RECOMMENDS THAT THE COURT ADOPT SAME.

ENTERED this ____ day of _____, 2008.

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

SO ORDERED this ____ day of _____, 2008.

United States District Court Judge