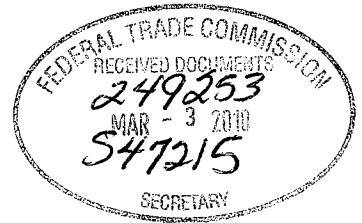


ORIGINAL



UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION

In the Matter of INTEL CORPORATION, a corporation))))))	PUBLIC DOCKET NO. 9341
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NOTICE OF WITHDRAWAL OF NON-PARTIES ACER, INC.'S, ACER AMERICA CORPORATION'S, AND GATEWAY, INC.'S JOINT MOTION TO QUASH SUBPOENA *DUCES TECUM* OR IN THE ALTERNATIVE TO LIMIT SUBPOENA *DUCES TECUM* [FEDERAL TRADE COMMISSION RULE 3.34(c), 16 C.F.R. § 3.34(c)]

Non-Parties Acer, Inc., Acer America Corporation, and Gateway, Inc. (“Non-Parties”) hereby provide notice of the withdrawal of “*Non-Parties Acer, Inc.’s, Acer America Corporation’s, And Gateway, Inc.’s Joint Motion To Quash Subpoena Duces Tecum Or In The Alternative To Limit Subpoena Duces Tecum [Federal Trade Commission Rule 3.34(C), 16 C.F.R. § 3.34(C)]*” (“Motion to Quash”) due to Complaint Counsel’s withdrawal of its Subpoena *Duces Tecum* directed to Acer, Inc., issued February 12, 2010, (“Subpoena”) and the subject of the Non-Parties’ Motion to Quash. Attached hereto as **Exhibit A** is a true and correct copy of Complaint Counsel’s withdrawal letter.

Non-Parties Acer, Inc., Acer America Corporation, and Gateway, Inc. (“Non-Parties”) make their withdrawal of their Motion to Quash without waiving any of Acer, Inc.’s, Acer America Corporation’s, and Gateway, Inc.’s rights or remedies and such Non-Parties each reserve all of their respective rights.

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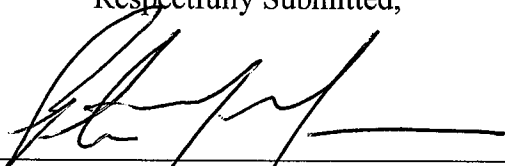
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March 1, 2010

Respectfully Submitted,



Peter C. McMahon, Esq.
MCMAHON SEREPCA LLP
985 Industrial Road, Suite 201
San Carlos, CA 94070-4157
Telephone: (650) 637-0600 x2
Facsimile: (650) 637-0700
Email: peter@msllp.com

Attorneys for Non-Parties Acer, Inc., Acer
America Corporation, and Gateway, Inc.

EXHIBIT A



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
NORTHEAST REGION

One Bowling Green
Suite 318
New York, NY 10004
(212) 607-2829

Leonard L. Gordon
Regional Director

March 1, 2010

BY ELECTRONIC MAIL AND FIRST CLASS MAIL

Peter C. McMahon, Esq.
McMahon Serepca LLP
985 Industrial Road, Suite 201
San Carlos, CA 94070-4157

Re: Re: FTC v. Intel Corporation (FTC Docket No. 9341)

Dear Mr. McMahon:

Pursuant to our telephone conversation of this afternoon, Complaint Counsel hereby withdraws the Subpoena *Duces Tecum* dated February 12, 2010 that was issued upon Acer, Inc ("Subpoena").

Accordingly, as we agreed during our telephone conference, since the withdrawal of the Subpoena renders moot Acer, Inc., Acer America Corporation, and Gateway, Inc.'s Joint Motion to Quash, filed on February 23, 2010, we request that you withdraw the Motion to Quash by 12 p.m. on Wednesday, March 3, 2010 to avoid any other procedural matters before the Administrative Law Judge or the Commission. Complaint Counsel's withdrawal of the Subpoena does not affect or prejudice its rights with respect to any other subpoenas issued upon Acer, Inc., its parent companies, subsidiaries or subdivisions.

Please feel free to contact me if you have any questions at 212-607-2806. Thank you for your continuing cooperation.

Very truly yours,



Nur-ul-Haq

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION**

In the Matter of)	
)	PUBLIC
INTEL CORPORATION,)	DOCKET NO. 9341
a corporation)	
)	

STATEMENT REQUIRED BY 16 C.F.R. § 4.2 (c)(3)(iii)

I, Pamela L. Kelly, hereby certify that the enclosed Compact Disc (“CD”) contains true and correct copies (in both Microsoft Word and Adobe PDF formats) of the paper originals of each of the following documents:

- **NON-PARTIES ACER AMERICA CORPORATION’S AND GATEWAY, INC.’S JOINT UNOPPOSED MOTION FOR AN EXTENSION OF TIME TO MOVE TO QUASH OR LIMIT THE FEDERAL TRADE COMMISSION’S SUBPOENAS DUCES TECUM TO NON-PARTIES ACER AMERICA CORPORATION AND GATEWAY, INC.;**

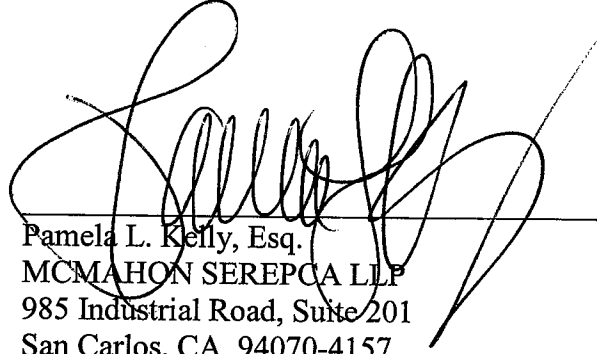
- **[PROPOSED] ORDER GRANTING NON-PARTIES ACER AMERICA CORPORATION’S AND GATEWAY, INC.’S JOINT UNOPPOSED MOTION FOR AN EXTENSION OF TIME TO MOVE TO QUASH OR LIMIT THE FEDERAL TRADE COMMISSION’S SUBPOENAS DUCES TECUM TO NON-PARTIES ACER AMERICA CORPORATION AND GATEWAY, INC.;**

- **NOTICE OF WITHDRAWAL OF NON-PARTIES ACER, INC.’S, ACER AMERICA CORPORATION’S, AND GATEWAY, INC.’S JOINT MOTION TO QUASH SUBPOENA *DUCES TECUM* OR IN THE ALTERNATIVE TO LIMIT SUBPOENA *DUCES TECUM* [FEDERAL TRADE COMMISSION RULE 3.34(c), 16 C.F.R. § 3.34(c)]**

I further certify that a paper copy, with an original signature, of each of the above-listed documents will be filed with the Secretary of the Commission on March 3, 2010.

March 1, 2010

Respectfully Submitted,

A large, stylized handwritten signature in black ink, appearing to read 'Pamela L. Kelly', is written over a horizontal line.

Pamela L. Kelly, Esq.
MCMAHON SEREPCA LLP
985 Industrial Road, Suite 201
San Carlos, CA 94070-4157
Telephone: (650) 637-0600 x3
Facsimile: (650) 637-0700
Email: pam@mllp.com

Attorneys for Non-Parties Acer, Inc., Acer
America Corporation, and Gateway, Inc.

**UNITED STATES OF AMERICA
BEFORE THE CHIEF ADMINISTRATIVE LAW JUDGE OF
THE FEDERAL TRADE COMMISSION**

In the Matter of)	
)	PUBLIC
)	
INTEL CORPORATION,)	DOCKET NO. 9341
a corporation)	
)	

CERTIFICATE OF SERVICE AND ACCURACY OF ELECTRONIC COPY

I, Pamela L. Kelly, hereby certify that on March 1, 2010, pursuant to 16 C.F.R. § 4.4(b), I served a copy of the following document:

NOTICE OF WITHDRAWAL OF NON-PARTIES ACER, INC.'S, ACER AMERICA CORPORATION'S, AND GATEWAY, INC.'S JOINT MOTION TO QUASH SUBPOENA *DUCES TECUM* OR IN THE ALTERNATIVE TO LIMIT SUBPOENA *DUCES TECUM* [FEDERAL TRADE COMMISSION RULE 3.34(c), 16 C.F.R. § 3.34(c)]

via U.S. Mail on Respondent Intel Corporation's counsel at the following addresses:

James C. Burling
Eric Mahr
Wendy A. Terry
WILMER CUTLER PICKERING HALE & DORR
1875 Pennsylvania Ave., N.W.
Washington, DC 20006

Robert E. Cooper
Joseph Kattan
Daniel Floyd
GIBSON DUNN & CRUTCHER
1050 Connecticut Ave., N.W.
Washington, DC 20036

Darren B. Bernhard
Thomas J. Dillickrath
HOWREY LLP
1299 Pennsylvania Ave., NW
Washington, DC 20004

Pursuant to 16 C.F.R. § 4.2, I also certify that on March 3, 2010, a true and correct copy of the signed paper original of the above-listed document was sent to the Secretary of the Commission by email to secretary@ftc.gov and dclark@ftc.gov and to The Honorable D. Michael Chappell, Chief Administrative Law Judge, by email to oalj@ftc.gov.

I further certify that on March 3, 2010, a true and correct copy of the signed paper original of the above listed document was sent to Complaint and Respondent's counsels by electronic mail to J. Robert Robertson (rrobertson@ftc.gov), Kyle D. Andeer (kandeer@ftc.gov), Thomas H. Brock (tbrock@ftc.gov), Melanie Sabo (msabo@ftc.gov), Teresa Martin (tmartin@ftc.gov), James C. Burling (james.burling@wilmerhale.com), Eric Mahr (eric.mahr@wilmerhale.com), Wendy A. Terry (wendy.terry@wilmerhale.com), Robert E. Cooper (rcooper@gibsondunn.com); Joseph Kattan PC (jkattan@gibsondunn.com), Daniel Floyd (dfloyd@gibsondunn.com), Darren B. Bernhard (bernhardd@howrey.com), and Thomas J. Dillickrath (dillickratht@howrey.com).

I further certify that on March 3, 2010, one (1) original and twelve (12) copies of the above-listed document was filed via hand delivery with:

Office of the Secretary
FEDERAL TRADE COMMISSION
600 Pennsylvania Ave., NW
Room H-135
Washington, DC 20580

I further certify that on March 3, 2010, one (1) Compact Disc ("CD") containing a true and correct copy of the paper original of the above-listed document was filed concurrently with the one (1) original and twelve (12) copies of the above-listed document.

I further certify that on March 3, 2010, two (2) courtesy copies of the above-listed documents was served via hand delivery on:

The Honorable D. Michael Chappell
Chief Administrative Law Judge
FEDERAL TRADE COMMISSION
600 Pennsylvania Ave., NW
Room H-113
Washington, DC 20580

I further certify that on March 3, 2010, one copy of the above-listed documents
was served via hand delivery on:

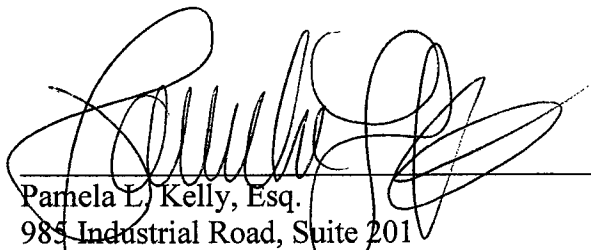
J. Robert Robertson
FEDERAL TRADE COMMISSION
600 Pennsylvania Ave., NW
Room H-380
Washington, DC 20580

I further certify that on March 3, 2010, one copy each of the above-listed
documents was served on Kyle D. Andeer, Thomas H. Brock, Melanie Sabo, and Teresa Martin
via hand delivery on:

Teresa Martin
FEDERAL TRADE COMMISSION
601 New Jersey Avenue, NW
Room NJ-7147
Washington, DC 20001

March 3, 2010

MCMAHON SEREPCA LLP,



Pamela L. Kelly, Esq.
985 Industrial Road, Suite 201
San Carlos, CA 94070-4157
Telephone: (650) 637-0600 x3
Facsimile: (650) 637-0700
pam@msllp.com

Attorneys for Non-Parties Acer, Inc., Acer
America Corporation, and Gateway, Inc.