



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

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April 20, 2010

Via email

Office of the Administrative Law Judges
Federal Trade Commission
600 Pennsylvania Ave., N.W.
Washington, D.C. 20580

Re: *In the Matter of Intel Corporation*, Docket No. 9341.

Dear Sir or Madam:

On behalf of Complaint Counsel and Respondent Intel Corporation, I hereby submit the original and two paper copies of the public version of the parties' Joint Status Report, as requested by the Court at the March 25, 2010 Status Conference.

Consistent with the approach of the parties in March, I am not filing a copy of this status report with the Secretary. If the Court wants us to do so, please let me know.

Please call me if you want to discuss this matter.

Sincerely,

A handwritten signature in black ink that reads "Thomas H. Brock".

Thomas H. Brock

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

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

Pursuant to the Court’s request at the March 25, 2010, Status Conference, the parties submit this joint status report. The parties do not believe that a status conference is needed this month and will report back to the Court next month.

I. Document Production.

A. Complaint Counsel’s document production. Respondent served Complaint Counsel with its First Request for Production on January 14, 2010. Complaint Counsel substantially completed its production on February 16, 2010. Complaint Counsel provided Respondent with a privilege log on March 18, 2010, which Complaint Counsel revised on March 30, 2010, and which Complaint Counsel will supplement in the near future. The parties are in ongoing discussions regarding some of the entries in Complaint Counsel’s privilege log.

B. Intel’s document production.

1. Complaint Counsel served its First Request for Production on January 18, 2010. The parties negotiated the size and scope of Intel’s document production. Pursuant to the stipulation of the parties, Intel began producing documents responsive to Complaint Counsel’s requests on March 22, 2010, and will substantially complete its production by May 25, 2010.

2. Complaint Counsel served its Second Request for Production of Documents on February 24, 2010. Complaint Counsel contends that Intel's Response was due March 26, 2010. Intel filed its response to the Second Set on April 9, 2010. On April 14, 2010, the parties met and conferred regarding the response and reached an impasse. Complaint Counsel expects to file a motion to compel on or before April 21, 2010.

3. On March 29, 2010, Complaint Counsel notified Intel of six documents that Intel had produced that appeared to be privilege. On March 30, 2010, Intel discovered that approximately 46,000 documents as to which it asserts a privilege had been made available, through an error of its e-discovery vendor, on the electronic database that is available to Complaint Counsel for its receipt and review of documents produced by Intel. The parties are negotiating a stipulation that will govern the actions that Intel, Intel's e-discovery vendor, and Complaint Counsel will take to address this situation.

II. Depositions

A. Party Depositions by Complaint Counsel

Complaint Counsel expects to depose approximately 68 Intel witnesses. As of today, Complaint Counsel has completed the depositions of approximately 14 of these individuals; the parties have scheduled the depositions of approximately 44 individuals; and the parties are negotiating the dates for the depositions of approximately 10 individuals. The parties expect to complete these depositions by June 15, 2010.

B. Limitations on Depositions of Intel and AMD Current and Former Employees Deposed in AMD Delaware Litigation

The parties have reached an agreement regarding the use of the depositions from the matter *Advanced Micro Devices, Inc., v. Intel Corporation*, C.A. No. 05-441-JJF (D. Del.), as set

forth in paragraph II(B) of their Joint Report of Issues to Be Discussed at the March 25, 2010, Status Conference, dated March 23, 2010.

D. Division of Seven-Hour Time Limit in Depositions

As set forth in paragraph II(D) of their Joint Report of Issues to Be Discussed at the March 25, 2010, Status Conference, dated March 23, 2010, the parties have reached a general agreement regarding the division of time for depositions but reserve the right to bring to the Court any matter not specifically addressed by the agreement which the parties are unable to resolve after consulting with each other in good faith.

E. Third Party Depositions.

1. Intel has served approximately 14 Subpoenas Duces Tecum on third parties. Complaint Counsel has served approximately 16 Subpoenas Duces Tecum on third parties. To date, few if any of the third parties have produced the documents responsive to Intel's subpoenas, and only a few have produced documents responsive to Complaint Counsel's subpoenas. Intel anticipates that, depending in large part on the date of production of documents in response to these subpoenas, it is likely that it will be necessary to depose at least some third parties after the June 15, 2010, discovery cut-off date established by the Court in its January 14, 2010, Scheduling Order. Complaint Counsel acknowledges that the delay in production by third parties may necessitate a limited number of third party depositions after June 15, 2010, discovery cut-off, and is prepared to discuss this matter with Intel. The parties anticipate they can reach an agreement on this issue and will submit a request to the Court, if necessary, by motion or in a status report to the Court.

2. Complaint Counsel has deposed or will soon depose four individuals employed or formerly employed by third parties, and expects to depose additional third parties.

III. Expert Witnesses

A. The parties have agreed that each side may name as many as eight expert witnesses. We are currently discussing possible limits on the aggregate length of the expert reports and will report to the Court if we reach an agreement.

B. Complaint Counsel's expert reports are now due on June 15, 2010, under the Scheduling Order. Complaint Counsel currently anticipates that it will be necessary to extend the due date for its expert reports by two weeks, until June 29, 2010, with corresponding changes (i) to the due dates for the expert reports of Respondent; (ii) to the due date for the reports of Complaint Counsel's rebuttal experts; (iii) to the dates by which expert depositions must be taken; (iv) possibly, to the dates by which *in limine* motions relating to experts must be filed; and (v) possibly, other dates. The parties anticipate that they can reach an agreement on this issue and will submit a joint request to the Court to amend the Scheduling Order, if necessary, no later than the date they file a status report in May, 2010.

IV. Pending Motions

The following motions have been filed or will be filed shortly hereafter:

A. Complaint Counsel's Motion to Admit European Commission Decision, filed March 17, 2010. Respondent filed its response to this motion on April 12, 2010, and Complaint Counsel's reply brief is due on April 26, 2010.

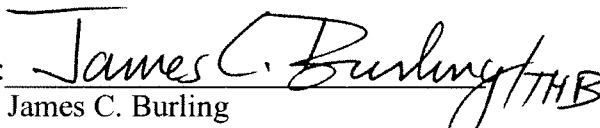
B. Complaint Counsel will be filing a Motion to Compel Respondent's response to Complaint Counsel's Second Request for the Production of Documents.

C. Complaint Counsel has identified certain interrogatories in their First Set of Interrogatories to which they contend Intel did not provide an adequate response. The parties have entered negotiations regarding the adequacy of these answers and, if they reach an impasse, Complaint Counsel may file a motion to compel.

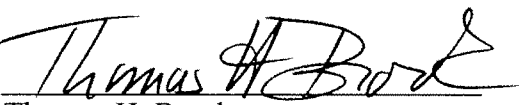
V. Settlement Discussions

Settlement discussions have not progressed since the filing of the Complaint in this matter on December 16, 2009.

Dated: April 20, 2010

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Complaint Counsel

CERTIFICATE OF SERVICE

I certify that I delivered via electronic mail and hand delivery the foregoing Joint Status Report to:

The Honorable D. Michael Chappell
Administrative Law Judge
Federal Trade Commission
600 Pennsylvania Ave., NW, Rm. H-113
Washington, DC 20580

I also certify that I delivered via electronic mail a copy of the foregoing Joint Status Report to:

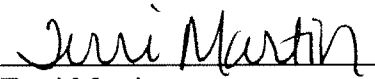
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Intel Corporation*

April 20, 2010

By: 
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Federal Trade Commission
Bureau of Competition