

UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION

Before The Honorable James P. Timony  
Administrative Law Judge

\_\_\_\_\_  
In the matter of )  
 )  
 )

RAMBUS INCORPORATED, )

a corporation. )  
\_\_\_\_\_ )

Docket No. 9302

**MOTION OF MICRON TECHNOLOGY, INC. FOR LEAVE TO FILE A REPLY  
IN SUPPORT OF MOTION TO LIMIT OR QUASH (Public Version)**

Pursuant to Section 3.32(c) of the Commission's Rules of Practice, non-party Micron Technology, Inc. ("Micron"), respectfully requests leave to file a reply in support of its Motion to Limit or Quash subpoenas served by respondent. The proposed brief reply and accompanying declaration are intended to respond to contentions raised by Rambus in its response to Micron's motion that relate to the work status of a witness,

**Confidential Material  
Redacted**

Moreover,

in light of representations made by Rambus in its response to Micron's motion, Micron

also withdraws its motion as to nine of the ten witnesses originally included in the motion.

Respectfully submitted,

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Richard L. Rosen  
Arnold & Porter  
555 12<sup>th</sup> Street, N.W.  
Washington, D.C. 20004

Attorney for Micron Technology, Inc.

Dated: December 6, 2002

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**REPLY OF MICRON TECHNOLOGY, INC.  
IN SUPPORT OF MOTION TO LIMIT OR QUASH (Public Version)**

In its response to the Motion of Micron Technology, Inc. (“Micron”) to Limit or Quash Rambus’s November 6, 2002 Subpoenas Ad Testificandum and Subpoenas Duces Tecum, Rambus says that “recent developments have largely mooted the motion.” Response at 1. At the same time, Rambus continues to seek depositions of all the subpoenaed Micron witnesses, and, with one limitation, full compliance with the individual document subpoenas. In its response, however, Rambus now states that it will conduct “shorter, non-duplicative depositions”. Response at 2. Accordingly, it commits to limit the depositions of all but two of the witnesses to 4-1/2 hours and to limit the depositions of those witnesses who were previously deposed in *Micron v. Rambus* to “issues that were not explored in the prior depositions and ... documents that were not available for use by Rambus’s counsel at the time of those depositions.” Based on these

representations, Micron withdraws its motion with respect to all of the witnesses except

1

**Confidential Material  
Redacted**

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<sup>1</sup> Micron agrees to produce Keith Weinstock, who is the sole witness not previously deposed by Rambus, for an 8-hour deposition.

**Confidential Material  
Redacted**

**Confidential Material  
Redacted**

**CONCLUSION**

For the foregoing reasons, Rambus's subpoena for the deposition of **Confidential Material Redacted** should be quashed.

Respectfully submitted,

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Richard L. Rosen  
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555 12<sup>th</sup> Street, N.W.  
Washington, D.C. 20004

Counsel for Non-Party Micron Technology, Inc.

Dated: December 6, 2002