

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION

In the Matter of

RAMBUS INC.,

a corporation.

Docket No. 9302

[PROPOSED] ORDER
GRANTING RAMBUS INC.'S MOTION IN LIMINE TO EXCLUDE
CERTAIN OPINION TESTIMONY OF R. PRESTON McAFEE

Having considered the *in limine* motion filed by Respondent Rambus Inc. to exclude certain opinion testimony of R. Preston McAfee, and related papers, IT IS HEREBY ORDERED that the motion is GRANTED. R. Preston McAfee shall be precluded from offering any opinion as to any of the following issues:

- Rambus's state of mind, and the state of mind of any of its current or former employees;
- What duty to disclose patents and/or patent applications was imposed by JEDEC's rules in effect during the time that Rambus employees attended JEDEC meetings;
- What the expectations were of JEDEC's members regarding what patents and/or patent applications would be disclosed during the time that Rambus employees attended JEDEC meetings;
- Whether claims in Rambus's patents or patent applications covered any particular technology utilized in DRAMs; and

- What were the cost and performance of various “alternative” technologies as compared to the cost and performance of the technologies covered by Rambus’s patents.

Dated: _____

Stephen J. McGuire
Chief Administrative Law Judge