

UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION

_____	)	
In the Matter of	)	
	)	
RAMBUS INC.,	)	Docket No. 9302
	)	
a corporation	)	
_____	)	

NON-PARTY MICRON TECHNOLOGY INC’S  
MOTION FOR IN CAMERA TREATMENT

Micron Technology, Inc (“Micron”), which is not a party to the above-captioned action, respectfully requests that this court grant in camera treatment pursuant to 16 CFR 3.45(b) to the documents set forth in Exhibit A, which are demonstrative exhibits that include confidential information of Micron.<sup>1</sup> This motion is supported by the declaration of Micron employee Brian Shirley (“Shirley Declaration”), attached hereto as Exhibit B.

The attached demonstratives contain Micron confidential information regarding Micron’s production costs and processes. This information is competitively sensitive and is held in strict confidence by Micron. If such information were disclosed publicly, Micron would suffer serious competitive harm because competitors could take advantage

<sup>1</sup> The documents attached as Exhibit A are the only portion of this motion that is being filed on a non-public basis.

of non-public facts about Micron's manufacturing costs and processes (Shirley Decl. at ¶¶ 3-5).

In camera treatment is warranted for these documents because (1) Micron will suffer serious competitive harm if the documents at issue are disclosed to the public; (2) the information contained in these documents is secret; and (3) the risk of harm is not outweighed by the importance of the information to the matter to be decided by the Commission. Micron believes that a limited 5 year period of in camera treatment is warranted.

Micron requests that the documents be treated as Restricted Confidential as provided under the August 5, 2002 Protective Order Governing Discovery Material.

For the foregoing reasons, Micron's Motion for In Camera Treatment should be granted.

By \_\_\_\_\_  
Richard L. Rosen, Esq.  
Randal M. Shaheen, Esq.  
Wilson D. Mudge, Esq.  
ARNOLD & PORTER  
555 Twelfth Street, N.W.  
Washington, D.C. 20004  
(202) 942-5000  
Counsel for Micron Technology, Inc.

Dated June 3, 2003



**CERTIFICATE OF SERVICE**

I, Wilson D. Mudge, hereby certify that, on this the third day June 2003, I caused copies of the foregoing NON-PARTY MICRON TECHNOLOGY, INC.'S MOTION FOR IN CAMERA TREATMENT and the supporting DECLARATION OF BRIAN SHIRLEY to be served by the method indicated upon the following:

\_\_\_\_\_  
Wilson D. Mudge

**Via Hand Delivery**

Judge Stephen J. McGuire  
Chief Administrative Law Judge  
Federal Trade Commission  
600 Pennsylvania Avenue, N.W.  
Room 106  
Washington, D.C. 20580

Richard B. Dagen, Esq.  
Assistant Director  
Bureau of Competition  
Federal Trade Commission  
600 Pennsylvania Ave., N.W.  
Washington, D.C. 20580

Malcolm L. Catt, Esq.  
Federal Trade Commission  
601 New Jersey Avenue, N.W.  
Room NJ 6207  
Washington, D.C. 20580

**By Facsimile and Overnight Delivery**

Steven M. Perry, Esq.  
Munger, Tolles & Olson LLP  
355 South Grand Avenue  
35<sup>th</sup> Floor  
Los Angeles, CA 90071  
(213) 687-3702 – Facsimile

**COPY CERTIFICATION**

I certify that the electronic versions of NON-PARTY MICRON TECHNOLOGY INC'S MOTION FOR IN CAMERA TREATMENT and supporting DECLARATION OF BRIAN SHIRLEY accompanying this certification are true and accurate copies of the paper originals and that paper copies also have been filed with the Secretary of the Commission on this day.

Dated: June 3, 2003

By: \_\_\_\_\_  
Wilson D. Mudge