

UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION

In the Matter of)	
)	
RAMBUS INCORPORATED,)	
)	
a corporation.)	
)	
)	
)	
)	
)	

DOCKET NO. 9302

**DECLARATION OF CANDICE JONES IN SUPPORT OF IBM'S MOTION FOR
RETURN OF PRIVILEGED DOCUMENTS INADVERTENTLY PRODUCED**

I, Candice Jones, declare as follows:

1. I am an associate with Hogan & Hartson, L.L.P., attorneys for International Business Machines Corporation ("IBM") herein . I have personal knowledge of the matters set forth in this declaration.
2. I participated in the review of IBM documents to be produced in response to a subpoena served on it by Rambus. With respect to documents that had both privileged information and either non privileged or nonresponsive information on the same document, which I placed in folders marked "Partial Privileged", I was under the mistaken impression that I was to redact portions of the document that were not responsive/not privileged. I thought that the remaining portion of the document, which was the privileged portion, would remain in the folder and be placed with the wholly privileged documents and not be produced.
3. I later learned that the paralegal who processed these folders for redactions and production processed them consistent with the other documents identified as being partially privileged; that is, the portions identified to be redacted were blocked out and

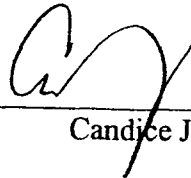
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the remaining portion of the document was produced. Thus, for a group of documents that I reviewed, the non-privileged or non-responsive portion was redacted and the privileged portion was mistakenly produced.

4. This is what occurred with respect to document IBM/2 074975-77, attached herewith as exhibit A. I reviewed this document and determined that the first message in the chain of e-mails was not responsive to the subpoena and had that portion redacted (the first message was also privileged). I assumed that the remaining e-mails on this document, which were privileged and responsive, would be placed with the documents withheld from production on the basis of privilege. I only later learned, after the production, that this document was mistakenly produced.

I declare, under penalty of perjury of the laws of the United States, that the foregoing is true and correct.

Executed this 14th day of April, 2003 at Washington, D.C.



Candice Jones

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