

**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

**SECOND UNOPPOSED MOTION FOR EXTENSION OF TIME
TO MOVE TO LIMIT SUBPOENA**

Non-party International Business Machines Corporation ("IBM") files this second motion for a brief extension of time for IBM to file a motion to limit Rambus Incorporated's ("Rambus") Subpoena Duces Tecum which was issued October 8, 2002.

Rambus served IBM with the subpoena on October 24, 2002. Under the applicable procedures, the time to file a motion to limit the Subpoena would have been November 4, 2002. On November 4th IBM filed its First Unopposed Motion for Extension of Time to Move to Limit Subpoena.

On November 7, 2002 counsel for IBM and for Rambus conferred in the attempt to resolve IBM's concerns about the scope and other issues relating to the Subpoena. Rambus agreed to withdraw certain requests, to narrow others and to continue to negotiate with IBM about the scope of still other requests. Counsel are still in the process of negotiating in an attempt to resolve IBM's concerns regarding the scope and burden of the Subpoena. However, due to the complexity of the issues and the scope of the Subpoena, IBM and Rambus have not completed their negotiations.

IBM and Rambus have agreed to an extension of time to file a motion to limit the Subpoena to November 25, 2002. The extension is not sought for delay, but only to allow for the possible resolution of certain issues relating to IBM's obligations under the Subpoena.

Counsel for Rambus and the FTC do not oppose this extension.

Accordingly, IBM requests that this motion be granted and that it be given until November 25, 2002 to file a motion to limit the Subpoena.

DATED: November 12, 2002

Respectfully submitted,

By: _____

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CERTIFICATE OF SERVICE

It is hereby certified that copies of the foregoing SECOND UNOPPOSED MOTION FOR EXTENSION OF TIME TO MOVE TO LIMIT SUBPOENA were served this 13th day of November, 2002, on the following:

The Honorable James P. Timony (By Hand)
Administrative Law JUDGE
Federal Trade Commission
600 Pennsylvania Avenue, N.W.
Washington, DC 20580

Richard B. Dagen - Assistant Director (By Hand)
Malcolm Catt (By Hand)
Robert Davis (By Hand)
Federal Trade Commission
600 Pennsylvania Avenue, N.W.
Washington, DC 20580

Counsel for Rambus Incorporated

Steven M. Perry (By Facsimile and U.S. Mail)
Munger, Tolles & Olson LLP
355 South Grand Avenue
Los Angeles, CA 90071-1560

CERTIFICATION

I hereby certify that the electronic copy of the Second Unopposed Motion of International Business Machines Corporation ("IBM") for extension of time for IBM to file a motion to limit Rambus Incorporated's ("Rambus") Subpoena Duces Tecum being filed with the Secretary of the Commission is a true and correct copy of the paper original, and that a paper copy with an original signature is being filed with the Secretary of the Commission.

Andrea T. Cummings

**UNITED STATES OF AMERICA
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ORDER

Upon consideration of the Second Unopposed Extension of Time to Move to Limit Subpoena filed in the above-captioned matter on November 13, 2002 by International Business Machines Corporation ("IBM"), it is hereby ordered that IBM shall be given until November 25, 2002, to file a motion to limit Rambus Incorporated's Subpoena Duces Tecum to IBM, which was issued on October 8, 2002.

The Honorable James P. Timony
Administrative Law Judge