

MUNGER, TOLLES & OLSON LLP

355 SOUTH GRAND AVENUE
THIRTY-FIFTH FLOOR
LOS ANGELES, CALIFORNIA 90071-1560
TELEPHONE (213) 683-9100
FACSIMILE (213) 687-3702

33 NEW MONTGOMERY STREET
SAN FRANCISCO, CALIFORNIA 94105-9781
TELEPHONE (415) 512-4000
FACSIMILE (415) 512-4077

November 12, 2002

PETER R. TAFT
ROBERT K. JOHNSON
ALAN V. FRIEDMAN
RONALD L. OLSON
DENNIS E. KINNAIRD
RICHARD S. VOLPERT
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DENNIS C. BROWN
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JEFFREY I. WEINBERGER
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C. DAVID LEE
CAROLYN HOECKER LUEDTKE

KIRSTIN M. AULT
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AARON M. HAY
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SHONT E. MILLER
JASON L. HAAS
MANUEL F. CACHAN
ERIC J. LORENZINI
MARIA SEFERIAN
REBEKAH N. HEISER
MEGAN M. LA BELLE
TRUC-LINH N. NGUYEN
KATHERINE K. HUANG
RICHARD D. ESBENSHADE
OF COUNSEL
E. LEROY TOLLES
(RETIRED)

A PROFESSIONAL CORPORATION

BY FAX AND U.S. MAIL

Richard Rosen, Esq.
Arnold & Porter
555 Twelfth Street, NW
Washington, D.C. 20004-1206

Re: Subpoena to Micron Technology, Inc. in the *Matter of Rambus, Inc.*,
before the Federal Trade Commission
File No. Docket No. 9302

Dear Mr. Rosen:

I write to address the present status of our negotiations regarding the above-referenced subpoena.

Pricing Issues. As you know, we have now gone around and around with respect to the requests seeking pricing related documents. While I did at one time express a "willingness to significantly narrow [Rambus'] requests on this topic to capture the narrow issue regarding the effect of Rambus and Rambus' royalties on DRAM chip pricing," as you state in your letter of yesterday, my efforts have clearly failed.

A brief history of our dispute is in order. Upon receiving the subpoena, you objected to the pricing related requests as irrelevant, and even suggested Rambus' requests for these documents was ill-motivated. In response, we explained that the information sought is directly relevant to the FTC's theory of the case, *i.e.*, that Rambus's actions impact(ed) DRAM chip pricing. During our discussions of this theory, you indicated that your client would not likely have many documents. I then proposed that Micron enter into a stipulation that Rambus' actions have had no effect on DRAM pricing. You refused, and we then went back to square one with respect to this issue. In an attempt to reach compromise, I then set forth the proposal contained in my letter of November 1, 2002. That is, as I understand it, the proposal to which

WRITER'S DIRECT LINE

(213) 683-9299
(213) 683-4099 FAX
nguyentn@mto.com

Richard Rosen, Esq.

November 12, 2002

Page 2

your letter of November 11 responded. As we discussed on November 6, we appear to have exhausted all avenues of possible compromise. The proposal contained in your letter of November 11 gets us no closer, for it fails to accommodate our discovery needs. We must reject that offer and turn this dispute over to Judge Timony to decide.

Discussions of Rambus Technology. As for your proposal with regard to the document requests we have been referring to generally as "Rambus Technology," we accept your proposal of yesterday, with the following modifications:

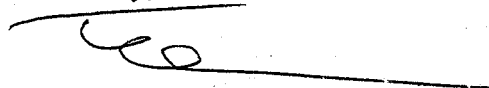
(1) We accept your re-articulation of (1). That is, documents that discuss or reflect Micron's decisions to develop, manufacture, and market SDR and DDR SDRAM in connection with the consideration of the possible existence or non-existence of Rambus' rights to the technology considered for incorporation into those standards. As articulated, we understand this category to include documents that may be considered "business" in nature as well as documents that may be considered "technical" in nature.

(2) We accept your proposal to modify and meld (2) and (3) into one general packaged request, with certain minor modifications. Our proposed insertions are underlined, and proposed deletions are bracketed:

Documents (other than Micron internal process, design, product engineering and testing documents) relating to (a) the discussion, evaluation and possible inclusion or non-inclusion of any of the nine technologies set forth in (my) restated Specification 12 – or any alternatives to any of those technologies – in any JEDEC standard SDRAM (i.e., SDR, DDR, DDR II and DDR III), SLDRAM or SyncLink DRAM, or standardization activities of AMI2 or ADT, and (b) any documents relating to any [JEDEC or SyncLink or SLDRAM] discussion (i) by or among Micron employees, or (ii) between Micron employees and others, who were involved in any way in JEDEC, SyncLink, SLDRAM, ADT, AMI2, or Team-DDR of patents or patent applications or intellectual property relating to these nine technologies or possible alternatives to these technologies considered for standardization.

Please let us know during our call scheduled for later today whether you are amenable to these modifications.

Sincerely,



Truc-Linh N. Nguyen

cc: Greg Stone
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