

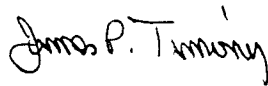
UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION

In the Matter of)
)
)
INTEL CORPORATION,) DOCKET NO 9288
)
a corporation.)
)

SUPPLEMENT TO ORDER
DENYING NON-PARTY COMPAQ'S MOTION TO QUASH

On December 2, 1998, an Order was issued denying Non-party Compaq Computer Corporation's Motion to Quash Intel's Subpoena for Deposition of Thomas S. Siekman, Esq., its General Counsel

Compaq relies on the rule of Shelton v. American Motors Co., 805 F.2d 1323, 1328 (8th Cir. 1986), providing that a party can depose counsel for its opponent only upon a showing, inter alia, that no other means exist to obtain the information. At 1327. However, here the deposition is of counsel for a non-party and the Shelton rule is not applicable. Nakash v. United States Department of Justice, 128 F.R.D. 32, 35 (S.D.N.Y. 1989); Williams v. City of Dallas, 178 F.R.D. 103, 112 (N.D. Tex. 1998).



James P. Timony
Administrative Law Judge

Dated: December 21, 1998