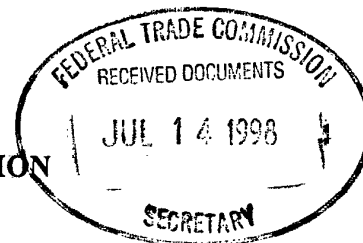


UNITED STATES OF AMERICA  
BEFORE FEDERAL TRADE COMMISSION



In the Matter of

INTEL CORPORATION,

a corporation.

DOCKET NO. 9288

**SCHEDULING ORDER**

It is HEREBY ORDERED that this matter shall proceed in accordance with the following

Scheduling Order:

EVENT	DATE
Exchange initial disclosures	July 20, 1998
Last day for issuing document requests to the parties	August 10, 1998
Exchange of preliminary witness lists (excluding experts) with description of proposed testimony	September 4, 1998
Last day for issuing party interrogatories (except for those related to requests for admission)	September 9, 1998
Last day to file motions to compel regarding responses to document requests issued to the parties	September 16, 1998
Last day to file responses to motions to compel regarding document requests issued to the parties (no reply briefs will be permitted absent an order of the Administrative Law Judge)	September 23, 1998
Last day for taking Rule 3.33(c) depositions of Respondent Intel	September 30, 1998
Exchange of preliminary rebuttal witness list (excluding experts) with description of proposed testimony	October 5, 1998

EVENT	DATE
Last day to identify expert(s) and exchange of vita, lists of publications and list of matters in which any expert has testified under oath	October 13, 1998
Last day to file motions to compel regarding party interrogatories (except for those related to requests for admission)	October 16, 1998
Last day to file responses to motions to compel regarding party interrogatories (except for those related to requests for admission)	October 23, 1998
Parties exchange Expert Reports and produce or identify documents and other written materials relied upon by the experts in his or her analysis or conclusions	November 2, 1998
Parties exchange Rebuttal Expert Reports and produce or identify documents and other written materials relied upon by the experts in his or her analysis or conclusions Last day to file requests for admission	November 23, 1998
Last day to file motions to compel interrogatories related to requests for admission	December 7, 1998
Last day for third party depositions other than of experts	December 11, 1998
Exchange proposed stipulations of law and fact, stipulations of authenticity Last day to file responses to motions to compel interrogatories related to requests for admission	December 15, 1998
Last day for filing motions for summary decision	December 18, 1998
Close of discovery, including experts Exchange final exhibit and witness lists	December 23, 1998
File motions <i>in limine</i> File responses to motions for summary decision	December 29, 1998
Exchange responses to proposed stipulations of law and fact, stipulations of authenticity	December 30, 1998
File and serve pretrial briefs	January 4, 1999

EVENT	DATE
Meet and confer to resolve issues regarding proposed stipulations of law and fact, stipulations of authenticity	January 5, 1999
File responses to motions <i>in limine</i>	January 6, 1999
File final stipulations of law and fact, final stipulations of authenticity (additional stipulations may be filed as agreed between the parties or as ordered by the Administrative Law Judge)	January 8, 1999
Final prehearing conference	January 11, 1999
Hearing begins	January 12, 1999

#### ADDITIONAL PROVISIONS

1. No more than two depositions per side shall be conducted on any day, unless otherwise agreed by the parties or ordered by the Administrative Law Judge.
  
2. Compliance with the scheduled end of discovery requires that the parties serve subpoenas and discovery requests sufficiently in advance of December 23, 1998 that all responses and objections will be due on or before that date, unless otherwise noted. Unless a subpoena or discovery request specifically identifies each document it seeks (e.g., Widget Corporation's 1997 Annual Report), the return/response date shall be reasonable and at least ten (10) days after the date on which the subpoena or discovery request issues or is served. Additional discovery shall be permitted only for good cause upon application to and approval by the Administrative Law Judge or by agreement of the parties, including any third party discovery in the event that the opposing party fails to disclose the identity of a third party that may have information that may be relevant to this proceeding in a timely manner in response to a discovery request.
  
3. The preliminary and final witness lists shall represent counsel's good faith designation of all potential witnesses. Additional witnesses may be added after the submission of the final witness lists under the following circumstances:
  - (a) by agreement of counsel with notice to the Administrative Law Judge;
  - (b) by order of the Administrative Law Judge upon a showing of good cause;
  - (c) if the identity of the person or the relevance of the information to be provided were not reasonably known at the time the final witness lists were served; or
  - (d) if needed, to authenticate or provide evidentiary foundation for documents in

dispute, with notice to the opposing party and the Administrative Law Judge.

A party seeking to add witnesses shall promptly notify the other parties of its intention to do so. Opposing counsel shall have a reasonable amount of time to subpoena documents from and depose any witness added to the witness list pursuant to this paragraph, even if the discovery takes place during the hearing. Such discovery shall not be subject to the scheduling or notice provisions of paragraph 1 or the minimum return/response period for subpoenas/discovery requests of paragraph 2 unless otherwise ordered by the Administrative Law Judge.

4. The preliminary and final exhibits list shall represent counsel's good faith designations of all trial exhibits other than demonstrative, illustrative, or summary exhibits. Additional exhibits may be added after the submission of the final lists under the following circumstances:

- (a) by agreement of counsel with notice to the Administrative Law Judge;
- (b) by order of the Administrative Law Judge upon a showing of good cause;
- (c) if the exhibit or the relevance of the information to be provided were not reasonably known at the time the preliminary lists were served; or
- (d) where necessary for purposes of impeachment.

5. At the time an expert is first listed as a witness by a party, the party will provide to the other party:

- (a) materials fully describing or identifying the background and qualifications of the expert, and all prior cases in which the expert has testified or been deposed; and
- (b) transcripts of such testimony in the possession, custody or control of the listing party or the expert.

6. The parties shall provide for each expert witness an Expert Report containing the information required by Rule 26(a)(2)(B) of the Federal Rules of Civil Procedure. The parties shall cooperate in scheduling the depositions of any rebuttal expert witnesses, whose depositions may be taken, if necessary, during the hearing in this matter.

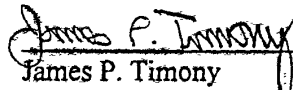
7. It shall be the responsibility of a party designating an expert witness to ensure that the expert witness is reasonably available for deposition during the six-week period immediately preceding the last date for expert depositions.

8. All papers shall be served by hand or facsimile by 6:00 p.m. on the designated date. Hand deliveries shall be to Complaint Counsel John O'Hara Horsley, Federal Trade Commission, 601 Pennsylvania Ave., N.W., Room S-3303, Washington, D.C. 20580, and to

Respondent's counsel Joseph Kattan, Gibson, Dunn & Crutcher LLP, 1050 Connecticut Ave., N.W., Suite 900, Washington, D.C. 20036-5306. All deliveries by facsimile shall be followed promptly by delivery of an original by hand or by U.S. mail, first class postage prepaid. It shall be the obligation of the serving party to ensure that service by facsimile has been effected.

9. All pleadings, motions, supporting briefs, objections to discovery, responses to discovery, exhibit lists, witness lists, privilege lists, master lists of documents provided, expert reports, and similar material shall be provided in hard copy (paper) and on a 3.5" floppy disk in Microsoft Word, WordPerfect, Microsoft Excel, or Lotus 1-2-3 format if the party or its counsel uses one of these programs to generate the documents described in this paragraph.

10. The procedure for the marking of exhibits is as follows: a one-page exhibit is designated, e.g., CX-1 (for complaint counsel), RX-1 (for respondent's counsel). If there is relevant matter on the back of a page, the exhibit is marked CX-1-A for the front side and CX-1-B for the back side. Capital letters must be used in marking. In the event the document has many pages which are not bound together, each page and each back side of each page containing relevant matter must be numbered CX-1-A through CX-1-Z-1. Items thereafter are numbered CX-1-Z-2, Z-3, Z-4, etc., as necessary.

  
James P. Timony  
Chief Administrative Law Judge

Dated: July 14, 1998