

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

**MOTION OF MICRON TECHNOLOGY, INC. FOR LEAVE TO SUPPLEMENT
RECORD IN SUPPORT OF MOTION TO LIMIT OR QUASH
RAMBUS'S NOVEMBER 6, 2002 SUBPOENAS AD TESTIFICANDUM AND
SUBPOENAS DUCES TECUM (Public Version)**

Non-party Micron Technology, Inc. ("Micron"), for itself and on behalf of
subpoenaed witness **Confidential Material** **Redacted** hereby moves for leave to supplement the record in
support of its motion, filed November 19, 2002, to limit or quash the subpoena ad
testificandum and subpoena duces tecum that was served on **Confidential Material** **Redacted** on November
6, 2002, in order to allow the consideration of the attached Declaration of Matthew D.
Powers and the exhibits attached thereto.

On November 19, 2002, Micron moved to quash subpoenas ad testificandum and
subpoenas duces tecum served on six current and former employees, including **Confidential Material** **Redacted**

Confidential Material **Redacted** in their entirety.¹ With respect to **Confidential Material** **Redacted** that motion also provided as

an additional ground the fact that **Confidential Material** **Redacted**

Confidential Material **Redacted** Rambus's lead counsel has previously been advised of the details of

**Confidential Material
Redacted**

} See Declaration of Matthew D. Powers, ¶ 4, attached hereto.

When Micron advised Rambus's counsel that

**Confidential Material
Redacted**

**Confidential Material
Redacted**

Rambus indicated it was unwilling to rely on the representations of counsel without additional support.

Micron has obtained letters from

**Confidential Material
Redacted**

} Powers Decl., Exhibits 1 and 2.

Micron's counsel has attempted to reach Rambus's lead counsel by telephone to advise

Confidential Material

him of **Redacted** current status, and has left a voice message, but his call has not

been returned. *Id.*, ¶ 6.

Accordingly, Micron respectfully requests leave to submit the attached

Declaration of Matthew D. Powers in support of its motion to quash insofar as it relates

Confidential Material

to **Redacted** Micron does not object to granting Rambus or Complaint Counsel

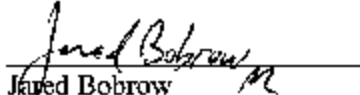
¹ Micron also moved to limit subpoenas duces tecum served on four other Micron employees.

additional time to respond to the Motion to Quash or Limit or to the additional information in Mr. Powers' Declaration.

Respectfully submitted,



Richard L. Rosen
Arnold & Porter
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Washington, D.C. 20004



Jared Bobrow
Weil, Gotshal & Manges LLP
Silicon Valley Office
201 Redwood Shores Parkway
Redwood Shores, CA 94065

Attorneys for Micron Technology, Inc.

Dated: December 2, 2002

**Confidential Material
Redacted**

4. When Rambus made a request in the Delaware Action for additional deposition time with [redacted] I informed Gregory Stone, lead counsel for Rambus in the Delaware Action and currently lead counsel for Rambus in this proceeding, of

**Confidential Material
Redacted**

5.

**Confidential Material
Redacted**

6. On November 26, 2002, I attempted to reach Mr. Stone by telephone to **Confidential Material** advise him of **Redacted** current status in relation to the current subpoena. I left Mr. Stone a voice message but he has not yet returned my call.

Executed on 11/29/ 2002, at Redwood Shores, California

I declare under penalty of perjury that the foregoing is true and correct.


Matthew D. Powers

**Confidential Material
Redacted**

**Confidential Material
Redacted**

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In the matter of)	
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RAMBUS INCORPORATED,)	Docket No. 9302
)	
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)	

ORDER

Upon consideration of the Motion of Micron Technology, Inc. for Leave to Supplement Record in Support of Motion to Limit or Quash Rambus's November 6, 2002 Subpoenas Ad Testificandum and Subpoenas Duces Tecum,

IT IS HEREBY ORDERED that Motion is granted.

IT IS FURTHER ORDERED that the Declaration of Matthew D. Powers submitted with the Motion will be considered as part of the record concerning Micron Technology's Motion to Limit or Quash.

James P. Timony
Chief Administrative Law Judge

Date: _____

CERTIFICATE OF SERVICE

It is hereby certified that copies of the foregoing Motion Of Micron Technology, Inc. For Leave To Supplement Record In Support Of Motion To Limit Or Quash Rambus's November 6, 2002 Subpoenas Ad Testificandum and Subpoenas Duces Tecum were served this 3rd day of December, 2002 on the following:

VIA HAND DELIVERY

The Honorable James P. Timony
Administrative Law Judge
Federal Trade Commission
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Richard B. Dagen – Assistant Director
Malcom Catt
Robert Davis
Federal Trade Commission
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VIA FACSIMILE and FEDERAL EXPRESS

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