

UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION



In the Matter of

RAMBUS INCORPORATED,

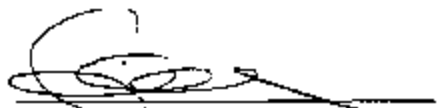
a corporation.

Docket No. 9302

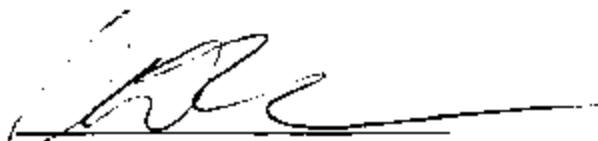
JOINT MOTION TO ENTER PROTECTIVE ORDER

Protective Order. Counsel for the parties have conferred and have reached agreement on the

Respectfully submitted,



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Malcolm L. Catt
M. H. Oliver



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Counsel for Respondent Rambus, Inc.

CERTIFICATE OF SERVICE

I, Beverly A. Dodson, hereby certify that on August 2, 2002, I caused a copy of the

hand delivery or Federal Express:

Chief Administrative Law Judge
Federal Trade Commission
600 Pennsylvania Ave. N.W.

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[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted] a corporation. [Redacted]

[Redacted]

employees, agents, attorneys, and all other persons acting on its behalf, excluding persons retained as consultants or experts for purposes of this Matter.

- c. "Rambus" means Rambus Incorporated, a public corporation organized, existing, and doing business under and by virtue of the laws of the State of Delaware, with its office and principal place of business located at 4440 El Camino Real, Los

[REDACTED]

- d. "Party" means either the FTC or Rambus.

- e. "Respondent" means Rambus.

- f. "Outside Counsel" means any law firm that is counsel of record for the Respondent in this Matter; its associated attorneys; persons regularly employed by such law firms (including legal assistants, clerical staff, and information management personnel); vendors retained by such law firm to provide copying, graphic, and other similar litigation support services; and temporary personnel

[REDACTED]

[REDACTED]

FTC or has been produced by the FTC in this Matter, the Producing Party shall

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

every such writing, record or graphic that contain any commentary, notes, or

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

disclosure of which to the designated in-house counsel identified in paragraph 8 would likely cause substantial commercial harm or personal embarrassment to the Disclosing Party. It is anticipated that this particularly restrictive designation should be utilized for only a small number of documents. Such a designation shall constitute a representation by counsel for the Disclosing Party that the material is properly subject to Restricted Confidential treatment under this Order.

TERMS AND CONDITIONS OF PROTECTIVE ORDER

Disclosing Material or Information: [REDACTED]

Parties for purposes of this Matter, and shall not be used for any other purpose, including without limitation any business or commercial purpose. Notwithstanding the foregoing, nothing

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Material for a period of twenty (20) days from the time notice of the intent to produce is given to the Producing Party. At the expiration of that time, this material shall be treated as Confidential

Confidential Discovery Material or non-confidential.

7. Restricted Confidential Discovery Material shall not, directly or indirectly, be disclosed or otherwise provided to anyone other than:
 - a. complaint counsel and the Commission, as permitted by the Commission's Rules of Practice;
 - b. Outside Counsel;

h. such other person(s) authorized in writing by the Producing Party.

8. Confidential Discovery Material shall not, directly or indirectly, be disclosed or

[REDACTED]

[REDACTED]

[REDACTED]

counsel for Respondent, provided that each signs a declaration in the form attached hereto as

Exhibit "A," which is incorporated herein by reference. The declaration is being signed by [REDACTED]

[REDACTED]

10. This paragraph governs the procedures for the following specified disclosures:

a. Disclosure to Experts/Consultants in the DRAM Industry

If any Party desires to disclose Restricted Confidential or Confidential Discovery Material to any Expert/Consultant, who is not an FTC employee, and who, beyond his employment as an

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Administrative Law Judge permitting the disclosure. If the Producing Party does not file such a

the Restricted Confidential or Confidential Discovery Material to the identified
Expert/Consultant without providing further notice.

b. Disclosure to New Persons

[If any Party desires to disclose a Producing Party's Restricted Confidential or

Confidential Discovery Material to any person other than those referred to in paragraphs 7 and 8
of this Protective Order ("New Person"), the Disclosing Party shall inform the Producing Party of
its desire to disclose such material. Such notice shall identify those materials sought to be

Person.

II. Challenges to Confidentiality Designations and Resolution of Disputes

a. If any Party seeks to challenge a Producing Party's designation of material as Restricted Confidential or Confidential Discovery Material or any other restriction contained

in the Restraining Order shall be deemed to be a challenge to the Restraining Order.

[REDACTED]

shall have five (5) business days to respond to any such application. While an application is

Confidential Discovery Material. Nothing in this Protective Order shall create a presumption or alter the burden of persuading the Administrative Law Judge of the propriety of a requested disclosure or change in designation.

motion seeking permission to disclose such material to persons not referred to persons otherwise

Confidential Discovery Material is produced without the legend attached, such document shall be treated as Restricted Confidential or Confidential from the time the Producing Party advises

complaints against and Defendant's counsel is advised that on 1/1/2011 1/1/2011

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until further order of the Administrative Law Judge; provided, however, that such papers may

Revised and amended pursuant to this Order. A.C. 1210

Discovery Material. At the conclusion of this action, any subsequent proceedings based

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

23. Entry of the foregoing Protective Order is without prejudice to the right of the Parties or Third Parties to apply for further protective orders or for modification of any provision of this Protective Order.

ORDERED:

James P. Timony

Dated: _____

UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION

In the Matter of

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a corporation.

Docket No. 9302

DECLARATION CONCERNING PROTECTIVE ORDER
GOVERNING DISCOVERY MATERIAL

I, [NAME], hereby declare and certify the following to be true:

1. [Statement of employment]

2. I have read the "Protective Order Governing Discovery Material" ("Protective Order") issued by Administrative Law Judge James P. Timony on _____.

[REDACTED]

[REDACTED]

[REDACTED]

use of any Restricted, Confidential or Confidential Discossem. Material (as these terms are used in

[REDACTED]

[REDACTED]

4. I am fully aware that, pursuant to Section 3.42(h) of the Commission's Rules of Practice, 16 C.F.R. § 3.42(h), my failure to comply with the terms of the Protective Order may

~~constitute contempt of the Commission and may subject me to criminal~~

Commission.

Full Name [Typed or Printed]

Date: _____