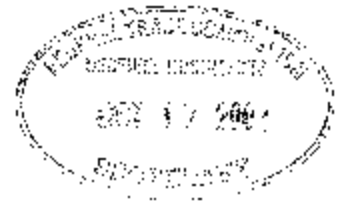


UNITED STATES FEDERAL TRADE COMMISSION  
WASHINGTON, D.C.

Before The Honorable James P. Timony  
Administrative Law Judge



In the Matter of Rambus, Incorporated

Docket No. 9302

**OBJECTIONS OF SMART MODULAR TECHNOLOGIES, INC. RE:  
SUBPOENA DUCES TECUM SERVED BY RAMBUS, INCORPORATED**

TO ALL INTERESTED PARTIES: Please take notice of the following

Objections of SMART Modular Technologies, Inc. to the Subpoena Duces Tecum (the

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"Subpoena") of the Federal Trade Commission ("FTC") issued to SMART

discuss providing reasonably relevant and appropriate documents and information, at a reasonable and appropriate time and location, and without undue burden or expense to SMART.

1. SMART objects to the timing of Rambus' service of the Subpoena on Monday, October 7, 2002, which Subpoena purports to require SMART to produce

August 20, 2002, almost seven (7) weeks earlier. Notwithstanding Rambus' extension of the date and time of production from October 16<sup>th</sup> to October 21<sup>st</sup>, which allows only two (2) additional business days, such extension does not allow SMART a reasonable period of time to comply with the Subpoena.

CONFIDENTIAL SUBJECT TO PROTECTIVE ORDER

confidential information of SMART's customers, suppliers, or other third parties, unless such information will be maintained in confidence and protected from disclosure by an appropriate protective order. Any such confidential information shall be produced only subject to the protections of such a protective order.

6. SMART objects to the documents requested in the Subpoena on the grounds that they are overbroad, irrelevant, duplicative, vague and ambiguous, confusing, and unduly burdensome.

Dated: October 16, 2002

SMART Modular Technologies, Inc.

By: Ann T. Nguyen  
Ann T. Nguyen  
Associate General Counsel

**CERTIFICATE OF SERVICE**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_

were caused to be served on October 16, 2002 via Federal Express upon the following parties:

\_\_\_\_\_  
Executive Assistant  
SMART Modular Technologies, Inc.  
4305 Cushing Parkway  
Fremont, California 94538  
(510) 624-8294

The undersigned hereby certifies that true and correct copies of the foregoing were used to be served on October 16, 2002 via Federal Express under the following:

(002) 001234567 (002) 001234567

  
Zahra Ghafourzai  
Executive Assistant  
SMART Modular Technologies, Inc.  
4305 Cushing Parkway  
Fremont, California 94538  
(510) 624-8294

Note: The Subpoena did not include a Certificate of Service.