

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION**

In the Matter of

RAMBUS INC.,

a corporation.

Docket No. 9302

**RESPONDENT'S AMENDED APPLICATION FOR THE
ISSUANCE OF A SUBPOENA *AD TESTIFICANDUM***

Pursuant to Rule 3.34(a)(2) of the Federal Trade Commission's Rules of Practice, Respondent Rambus, Inc. ("Rambus") makes this amended application for the issuance of a subpoena *ad testificandum* to be issued to Dr. K.H. Oh, who was until recently in charge of the semiconductor group at Hynix, a major DRAM manufacturer.¹

In addition to his knowledge of the worldwide memory market in the relevant time period, Dr. Oh was also involved in negotiations with Rambus in 1995 and/or 1996 regarding the licensing by Hynix of Rambus technology, and he signed such a license on behalf of Hynix. Rambus is also informed and believes that Dr. Oh received reports from Hynix's JEDEC representatives about issues raised at JEDEC meetings.

¹ This amended application is being filed to reflect a slight change in Dr. Oh's U.S. travel plans, as well as service on Dr. Oh's U.S. counsel.

Given his position at Hynix, Dr. Oh's testimony is reasonably relevant to the issues raised in this matter. Dr. Oh was named in Complaint Counsel's Preliminary Witness List, and was subsequently "cross-designated" by Rambus in its own Preliminary Witness List.

Although Dr. Oh lives in South Korea, he is apparently traveling to the United States in the next thirty days to give a deposition in this matter and in the private lawsuit between Hynix and Rambus. Given the importance of his testimony, and the strong preference for live testimony wherever possible, Rambus requests that a subpoena *ad testificandum* be issued so that it may be served upon Dr. Oh in connection with his deposition.

For the foregoing reasons, Rambus respectfully requests that Your Honor grant its application for a subpoena *ad testificandum* to be served on Dr. Oh.

DATED: December 5, 2002

Respectfully submitted,

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PROOF OF SERVICE BY FACSIMILE/FEDERAL EXPRESS

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 355 South Grand Avenue, 35th Floor, Los Angeles, California 90071.

On December 5, 2002, I served the foregoing document described as: **RESPONDENT'S AMENDED APPLICATION FOR THE ISSUANCE OF SUBPOENA AD TESTIFICANDUM** on the designated parties in this action by having a true copy thereof transmitted by facsimile machine to the number listed below. I caused the facsimile machine to print a record of the transmission, a copy of which is attached to this declaration.

On December 5, 2002, I also served a copy of the aforementioned document on the designated parties in this action by Federal Express overnight courier service. I am "readily familiar" with the firm's practice of collection and processing correspondence for delivery to an employee of Federal Express. Under that practice it would be delivered to an employee of Federal Express on that same day at Los Angeles, California with charges to be billed to Munger, Tolles & Olson's account for delivery to the office of the addressee on December 6, 2002 in the ordinary course of business.

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Executed on December 5, 2002, at Los Angeles, California.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

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

Eunice Ikemoto

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CERTIFICATION

I, Steven M. Perry, hereby certify that the electronic copy of Respondent's Amended Application For The Issuance Of Subpoena *Ad Testificandum* accompanying this certification is a true and correct copy of the paper original and that a paper copy with an original signature is being filed with the Secretary of the Commission on December 6, 2002 by other means.

Dated: December 5, 2002

/s/
Steven M. Perry