

PUBLIC

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

**In the Matter of
RAMBUS INC.,
a corporation.**

documents in the custody or control of its Japanese parent corporation, Mitsubishi Electronic Corporation (“MELCO”). Your Honor denied this motion on November 20, 2002.

Although this Court’s November 12 order required that Mitsubishi comply with the subpoena by November 22, Mitsubishi has not done so. *See* Declaration of Steven M. Perry (“Perry Decl.”) ¶¶ 2-4. By its own admission, Mitsubishi has a substantial quantity of responsive documents that it has not yet produced to Rambus. For example, despite repeated requests by Rambus’s counsel, Mitsubishi has not produced the files of its longtime JEDEC representative, Mr. Chen. As a result, Rambus had to reschedule Mr. Chen’s deposition from December to January. *Id.*, ¶ 3. In addition, despite this Court’s explicit instructions, Mitsubishi has not produced documents responsive to the subpoena that are in the custody of its Japanese parent corporation, MELCO. *Id.*, ¶ 4. Mitsubishi has also failed to provide a privilege log as required by Your Honor. *Id.*

Rambus’s numerous efforts to address these problems with Mitsubishi’s counsel have been unsuccessful. *Id.* As a result, Rambus respectfully requests that this Court compel Mitsubishi to produce *all* responsive documents, including all responsive documents from MELCO, no later than January 3, 2003. Mitsubishi should be required to provide a privilege log at the same time.

DATED: December 20, 2002

Respectfully submitted,

Gregory P. Stone
Steven M. Perry
Sean P. Gates
Peter A. Detre
MUNGER, TOLLES & OLSON LLP
355 South Grand Avenue, 35th Floor
Los Angeles, California 90071
(213) 683-9100

A. Douglas Melamed
IJay Palansky
Kenneth A. Bamberger
WILMER, CUTLER & PICKERING
2445 M Street, N.W.
Washington, D.C. 20037
(202) 663-6000

Sean C. Cunningham
John M. Guaragna
Gray, Cary, Ware & Freidenrich LLP
401 "B" Street, Suite 2000
San Diego, California 92101
(619) 699-2700

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

In the Matter of

RAMBUS INC.,

a corporation.

Docket No. 9302

ORDER

Upon consideration of the motion by Respondent Rambus Inc. to Compel Mitsubishi Electric & Electronics USA, Inc. ("Mitsubishi") to comply with this Court's order to produce documents responsive to the subpoena served by Rambus, and any response thereto,

IT IS HEREBY ORDERED that Rambus's Motion is GRANTED.

IT IS FURTHER ORDERED that no later than January 3, 2003, Mitsubishi must produce all documents responsive to the subpoena served by Rambus, including responsive documents in the possession of Mitsubishi Electronic Corporation. Mitsubishi must also provide a privilege log by January 3, 2003.

Date: _____

James P. Timony
Chief Administrative Law Judge