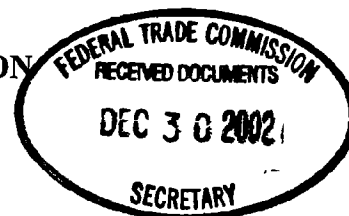


UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION



In the Matter of  
  
RAMBUS INC.,  
  
a corporation.

Docket No. 9302

DECLARATION OF STEVEN M. PERRY IN OPPOSITION TO MOTION  
BY DE DIOS & ASSOCIATES TO QUASH SUBPOENA DUCES TECUM

I, Steven M. Perry, declare \_\_\_\_\_

of Munger, Tolles & Olson LLP, co-counsel for respondent Rambus Inc. ("Rambus") in  
this matter. I submit this declaration in support of Rambus Inc.'s Opposition to Motion  
by de Dios & Associates to Quash Subpoena Duces Tecum. I have personal knowledge  
of the facts set forth in this declaration.

2. The motion by de Dios & Associates ("de Dios") states in part that on

December 17, 2002, I spoke with de Dios' counsel about the subpoena. That is true \_\_\_\_\_

responding to the subpoena. I suggested to counsel that he confer with his client and  
propose restrictions or limitations that would ease the burdens that his client had  
identified. He said that he would talk to his client \_\_\_\_\_

3. The motion by de Dios suggests in particular that it would be burdensome for Mr. de Dios and his small staff to review his files for responsive documents. We have overcome similar objections and concerns this fall by agreeing to the following procedure:

- (1) The files are initially reviewed by Rambus's outside counsel and paralegals, who "flag" responsive documents for copying; and
- (2) The copies are sent directly to the third party or its lawyers for a quick ~~privilege and confidentiality review~~ before Rambus's lawyers obtain a copy set for use in the litigation.

By using this procedure, the costs of file review and duplication are largely borne by Rambus, not by the third party. We are willing to use this same procedure with the de Dios documents.

4. The motion by de Dios also suggests that service of the subpoena was ~~completely delayed. In fact, the November 20, 2002 date on the subpoena reflects the date~~ that Rambus obtained a group of *blank* subpoenas from the Secretary's office for future use, pursuant to Rule 3.34(b). The subpoena was served upon de Dios as soon as it was filled out.

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

  
Steven M. Perry

**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 27, 2002, I served the foregoing document described as:

~~DECLARATION OF STEVEN M. FERRY IN OPPOSITION TO MOTION BY DE BISS~~  
**& ASSOCIATES TO QUASH SUBPOENA DUCES TECUM** on the designated parties in this action by having a true copy thereof transmitted by facsimile machine to the number listed

On December 27, 2002, I also served a copy of the aforementioned document on the

~~Regional Enforcement that comes down at Los Angeles, California with charges to be billed to M...~~

**by facsimile and FedEx**

M. Sean Royall, Esq.  
Federal Trade Commission  
600 Pennsylvania Avenue, N.W.  
Room H-372  
Washington, D.C. 20580  
**Facsimile: 202-326-2884**

**By FedEx**

Hon. James P. Timony

Room H-112

**by facsimile and FedEx**

Geoffrey Oliver, Esq.  
Malcolm L. Catt, Esq.  
Federal Trade Commission  
601 New Jersey Avenue  
Washington, D.C. 20001  
**Facsimile: 202-326-3496**

**By Facsimile and FedEx**

Richard B. Dagen, Esq.

Room 6223

Washington, D.C. 20580

**By Facsimile and FedEx**

600 13<sup>th</sup> Street, N.W.  
Washington, D.C. 20005  
**Facsimile: 202-756-8087**

Executed on December 27, 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 swear under penalty of perjury under the laws of the United States that the foregoing is

*Eunice Ikemoto*

Eunice Ikemoto

\*\*\*\*\*  
\*\*\* TX REPORT \*\*\*  
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TRANSMISSION OK

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MUNGER, TOLLES & OLSON LLP  
355 SOUTH GRAND AVENUE  
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LOS ANGELES, CALIFORNIA 90071-1560  
PHONE: (213) 683-9133 FAX: (213) 683-5133

FACSIMILE COVER SHEET

TO	FIRM	FAX	TELEPHONE
M. SEAN ROYALL, ESQ.	FEDERAL TRADE COMMISSION	202-326-2884	202-326-3663

DATE: December 27, 2002  
FROM: STEVEN M. PERRY, ESQ.  
RE:  
REF NO.: 22076-00006  
PAGES: 5  
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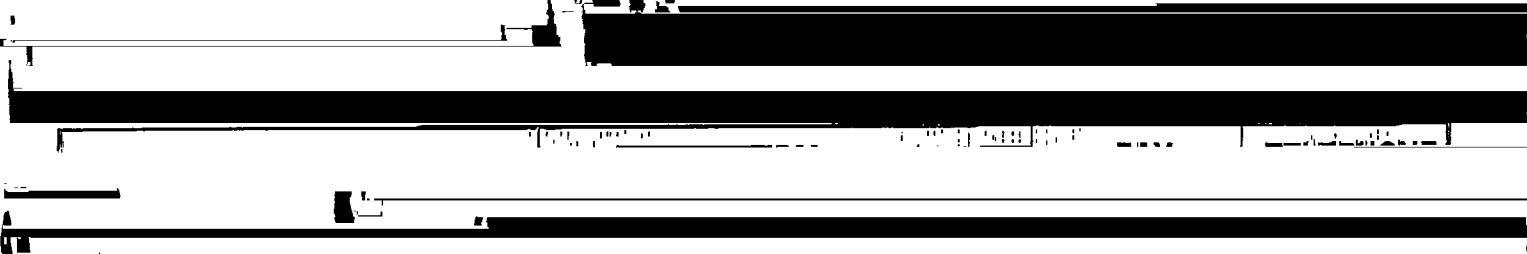
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MUNGER, TOLLES & OLSON LLP  
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FORMER COVER SHEET



MALCOLM L. CATT, ESQ.

DATE: December 27, 2002  
FROM: STEVEN M. PERRY, ESQ.  
RE:  
REF NO.: 22076-00006  
PAGES: 5  
MESSAGE:

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\*\*\* TX REPORT \*\*\*  
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MUNGER, TOLLES & OLSON LLP  
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FACSIMILE COVER SHEET

TO	FIRM	FAX	TELEPHONE
RICHARD B. DAGEN, ESQ.	FEDERAL TRADE COMMISSION	202-326-3496	202-326-2628

DATE: December 27, 2002

FROM: RICHARD B. DAGEN, ESQ.

REF NO.: 22076-00006

MESSAGE:

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MUNGER, TOLLES & OLSON LLP  
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FACSIMILE COVER SHEET

TO	FIRM	FAX	TELEPHONE
JOEL GROSBERG, ESQ.	McDERMOTT, WILL & EMERY	202-756-8087	202-756-8000

DATE: December 27, 2002  
 FROM: STEVE PERRY, ESQ.  
 RE:  
 REF NO.: 22076-00006  
 PAGES: 5  
 MESSAGE:



