

UNITED STATES OF AMERICA

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In the Matter of

RAMBUS INCORPORATED,

Docket No. 9302

captioned matter against imprecise  
& corporation.

disclosure

confidential

submitted

INVESTMENT BANKING COMPANY'S REGISTRATION STATEMENT

... retained as consultants or experts for purposes of this Matter.

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and doing business under and by virtue of the laws of the State of Delaware, with

... principal place of business located at 4440 El Camino Real, Los

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the Third Party that originally provided the Restricted Confidential or  
Identified

Respondi

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Confidential Discovery Material to the FTC. Where necessary such Restricted

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Confidential or Confidential Discovery Materials shall be identified by the FTC by

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Third Party and the FTC shall provide the Respondent with contact information for  
each such Third Party. The Producing Party shall also mean the FTC for purposes

not limited to, every writing, letter, envelope, telegram, e-mail, meeting minute,  
memorandum, statement, affidavit, declaration, book, record, survey, map, study,  
handwritten note, working paper, chart, index, tabulation, graph, drawing, chart,  
photograph, tape, phono record, compact disc, video tape, data sheet, data

[REDACTED] readable media or other

messag slip

[REDACTED]

terial

[REDACTED]

rsuan moulds

other

[REDACTED]

precedents thereunder. Confidential Discovery Material shall include non-public commercial information, the disclosure of which to Respondents or Third Parties would likely cause substantial commercial harm or personal embarrassment to the

disclosure. The following information is confidential

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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

Disclosed Material or information derived therefrom shall be used solely by the

disclosing without

with

complaint

shall

disclose

disclosed material

complaint

response

request

proceed

submit

the first page of a document containing such Restricted Confidential or Confidential Discovery

Material Interfered with legal

CONFIDENTIAL TSDI

USE Similar notes references

Matt with

CONFIDENTIAL Resignation Confidential

among

late

restricted confidential

Political representation abuse

signature

Confidential Material

signature

notes

Confidential

Confidential Discovery Material or non-confidential.

7 Restricted Confidential Discovery Material shall not, directly or indirectly, be

disclosed

complain

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disclosed or otherwise provided to anyone other than:

- a. complaint council and the Commission, as permitted by the Commission's Rules of Practice;
- b. Outside Counsel;
- c. Experts/Consultants;
- d. the Administrative Law Judge presiding over this matter and personnel assisting him;
- e. court reporters involved in transcribing proceedings relevant to this matter;
- f. judges and other court personnel of any court having jurisdiction over any appeal proceedings involving this Matter;

whether to assist of Federal Trade Commission Confidential Discovery

sent

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

Exhibit A, which is incorporated herein by reference. The designated in-house counsel for

Respondent

reside

Respondent

Respondent

provide

Respondent

Material

to any Expert/Consultant, who is not an FTC employee, and who, beyond his employment as an expert in this Matter, is an officer, director, or employee of any company the primary business of which is in the DRAM industry or who regularly consults with any company the primary business of which is in the DRAM industry regarding competitive decision making, or may otherwise have

financial interest, beyond that of a passive minority investment, in any company

industry

person

inside

profession

affiliated

curriculum

of which is in the DRAM industry, the Disclosing Party shall notify the

Matter

without providing further notice

Disclosure to

Material

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b. Disclosure to New Persons

to be disclosed as Confidential or Confidential

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shall identify

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within this Protective Order, the challenging Party shall notify the Producing Party and all other

designator

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shall identify with specificity (i.e. by document control

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material absent

Administrative

providing

numbers, deposition transcript page and line reference, or other means sufficient to locate easily such materials) the designation being challenged. The Producing Party may preserve its designation within five (5) business days of receiving notice of the confidentiality challenge by providing the challenging Party and all other Parties to this action with a written statement of the

for the designation. If the Producing Party timely preserves its rights, the Parties shall

continue to treat the challenged material as Restricted Confidential or Confidential Discovery Material, absent a written agreement with the Producing Party or order of the Administrative Law Judge providing otherwise.

If the Parties involved have failed to resolve the

change in designation.

12. Restricted Confidential or Confidential Discovery Material shall not be disclosed to any person described as an Expert/Consultant under this Protective Order until such person has

declared and transmitted to Respondent's counsel or complaint counsel as the case may be a

shall maintain

investigative

confidential

confidential

declaration or declarations, as applicable, in the form attached hereto as Exhibit "A" which is

in accordance with reference. Respondent's counsel and complaint counsel shall maintain a

complaint counsel and Respondent's counsel in writing that such material should be so designated and provides all the Parties with an appropriately labeled replacement. The Parties shall either

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~~confidential~~

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Discovery Material from another Party, the Party to whom the request is made

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whom it discovers material

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Material within its possession, custody, or control — including all copies in the possession of ~~its~~ consultants or others to whom the Discovery Material was

provided — unless the Party asked to return the Discovery Material in good faith reasonably believes that the Discovery Material is not privileged. Such good faith belief shall be based on either (i) a facial review of the discovery material or (ii) the inadequacy of any explanations provided by the Producing Party, and shall not be based on an argument that production or disclosure of the Discovery Material waived any privilege. In the event that only portions of the Discovery Material contain privileged subject matter, the Producing Party shall substitute a redacted

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a duplicate copy of the paper with the Restricted Confidential or Confidential Discovery

Material deleted pursuant to Section 3.22(b) and 3.45(e) of the Commission's Rules of

Practice. Further, if the Commission for any such material obtains any Party may file on the

Confidential

Confidential

Confidential

Confidential

be returned or destroyed. The FTC shall retain, return or destroy documents in accordance with the provisions of Rule 4.12 of the FTC's Rules of Practice, 16 C.F.R. § 4.12.

20. The provisions of this Protective Order insofar as they restrict the communication

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and use of Restricted Confidential or Confidential Discovery Material shall without written

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*[Handwritten initials]*

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FEDERAL TRADE  
ADMIN LAW JUDGES

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UNITED STATES OF AMERICA  
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Restricted Confidential or Confidential Discovery Material (as these terms are used in the Protective Order) in this action and I agree to abide by the Protective Order.

3. I understand that the restrictions on my use of such Restricted Confidential or Confidential Discovery Material include:

a. that I will use such Restricted Confidential or Confidential Discovery Material only for the purposes of this proceeding, and hearing(s) and any

b. that I will not disclose such Restricted Confidential or Confidential

SECRET

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5. Use of force that violates Section 7.42(h) of the Commission's Rules of