#### LEXSEE 2003 FTC LEXIS 75

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

Docket No. 9302

Federal Trade Commission

# ORDER ON RESPONDENT'S OBJECTIONS TO THE DEPOSITION TESTIMONY OF DR. K.H. OH

June 3, 2003

ALJ: [\*1]

Stephen J. McGuire, Chief Administrative Law Judge

#### ORDER:

#### ORDER ON RESPONDENT'S OBJECTIONS TO THE DEPOSITION TESTIMONY OF DR. K.H. OH

On May 9, 2003, Respondent submitted a memorandum in support of its objections to Complaint Counsel's proposed deposition testimony of Dr. K.H. Oh, a former Hynix executive. Respondent's objections were in response to Complaint Counsel's stated intention of playing a videotape of that testimony. Respondent argues that Dr. Oh's

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_	Objections which included various attachments containing specific line and page objections to the testimony of Dr. Oh.
	Attachment A to Respondent's supplemental memorandum lists the designated deposition excerpts to which
	Respondent will not object should Complaint Counsel make a sufficient showing of Dr. Oh's unavailability. Attachment
	B lists all the designated deposition excerpts to which Respondent objects on the grounds that Dr. Oh was neither the
T. Carrier	
	<u>*</u>

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Page and Line	Respondent's Objection	Ruling
148:25-149:1	Lack of Foundation	Overruled
149:19-150:24	(Had Not Seen Document)	Overruled
150.25-152.21	[Fubible 0]	Contained

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4				
. 1	54:10-155:5	Admitted Into Evidence		
1	34.10 133.3	as CX 2287	Overruled	
1	57:11-159:13	43 CA 2207	Overruled	
	59:23-160:13		Overruled	
	60:14-160:25		Sustained	
_	00.11 100.20		Suscained	
1	61:1-4	Lack of Foundation	Sustained	
	61:17-22	(Had Not Seen Document)	Sustained	
1	63:7-18	[Exhibit 9]	Sustained	
1	65:11-167:7	Admitted into Evidence as	Sustained	
		CX 2263	2 40 3 44 1,0 5	
1	70:5-17	Lack of Foundation	Sustained	
1	72:15-173:7	(Had Not Seen Document)	Sustained	
1	73:8-173:23	[Exhibit 10]	Overruled	
1	74:3-176:25	Admitted Into Evidence as	Sustained	•
1	77:20-178:13	CX 2264	Sustained	
	83:21-24	Lack of Foundation	Overruled	
1	84:13-190:12	(Had Not Seen Document)	Sustained	
		[Exhibit 12]		
		Admitted Into Evidence as		
		CX 2303		
1	00 00 00	T 1 5 7 3 4 1		
1	98:20-23	Lack of Foundation	Overruled	
2	03:21-205:1	(Had Not Seen Document)		
2	03:21-203:1	[Exhibit 13]	Overruled	
		Admitted Into Evidence as CX 2306		
		CA 2300		
2	11:5-17	Lack of Foundation	Overruled	
	11:25-215:2	(Had Not Seen Document)	Sustained	
	15:11-221:15	[Exhibit 14]	Sustained	
	22:17-226:25	Admitted Into Evidence As	Sustained	
		CX 2334	bastainea	
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3.	<b>Attachment C</b> 7:9-39:1	Mitagas Caranilla de mi de la		
3	7:9-39:1	Witness Consulted Timeline Prepared By Counsel. No	Sustained	
		Foundation With Work Of		
		Other Companies		
		Other companies		
3.	43:1-23	Witness Consulted Timeline	Sustained	
		Prepared By Counsel. No	bustained	
		Foundation For Testimony		
		About JEDEC Standardization		
		of DDR SDRAM		
	A A A m = B · · · · · · · · · · · · · · · · · ·			
0.1	Attachment D	No Foundation of K. J. J.		
2:	9:7-31:7	No Foundation of Knowledge of	Overruled	
		JEDEC Practices or Beliefs of		

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	2003 FTC ELAIS 73.		
	Other than Memory Manufacturers		
56:15-57:2	Non-responsive	Sustained	
57:3-13	Leading and Irrelevant in Light of Later Testimony	Sustained	
58:8-59:7 60:14-61:22	No Foundation For Testimony About SyncLink	Overruled Overruled	
69:2-10	No Foundation in Light of Later Testimony	Overruled	
7 <u>2 11 3</u> 2 c			
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75:4-77:7	No Foundation as to License Negotiations With Rambus		
,91:12-92:6	Irrelevant	Overruled	
95:24-96:21 99:5-23	No Foundation Re Licensing Agreement With Rambus	Overruled Overruled	
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101:21-102:11 Sustained

103:11-13 No Foundation Re Amendment Overruled
103:20-105:19 To License Agreement With Overruled

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354:23-356:11 No Foundation Re License Agree- Sustained

ment With Rambus. Calls for Speculation and is Leading

Sustained

356:12-357:13 Leading

[\*8] ORDERED:

Stephen J. McGuire

Chief Administrative Law Judge