

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION

In the Matter of

RAMBUS INC.,

a corporation.

Docket No. 9302

RESPONSE BY RAMBUS INC. TO COMPLAINT COUNSEL'S
REQUEST FOR CLARIFICATION OF THE GROUNDS
FOR EXCLUDING CERTAIN DEPOSITION
TESTIMONY OF J. REESE BROWN

On July 9, 2003, Complaint Counsel filed a "Request for Clarification of the Grounds for Excluding Certain Deposition Testimony of J. Reese Brown."

The Request for Clarification is unnecessary and should be denied.

Your Honor previously upheld Rambus's foundation objections to certain portions of Mr. Brown's deposition testimony. Now, as part of Rambus's case-in-chief, Rambus has designated approximately ten minutes of Mr. Brown's deposition testimony as to which no objections were ever raised. Complaint Counsel have requested that three questions and answers also be read at the same time. Rambus has not asserted any objections to that testimony.¹

¹ Counsel exchanged their designations and objections with respect to the Brown depositions several months ago.

Because the proposed deposition testimony has not been objected to by either party, there is no need for the Court to entertain Complaint Counsel's motion. The motion should be denied.

DATED: July 10, 2003

Respectfully submitted,

Gregory P. Stone
Steven M. Perry
Peter A. Detre
Adam R. Wichman
MUNGER, TOLLES & OLSON LLP
355 South Grand Avenue, 35th Floor
Los Angeles, California 90071-1560
(213) 683-9100
(213) 687-3702 (facsimile)
(202) 663-6158
(202) 457-4943 (facsimile)

A. Douglas Melamed
Kenneth A. Bamberger
Jacqueline M. Haberer
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

Attorneys for Respondent Rambus Inc.

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

In the Matter of

RAMBUS INC.,

a corporation.

Docket No. 9302

CERTIFICATE OF SERVICE

I, James M. Berry, hereby certify that on July 10, 2003, I caused a true and correct copy of *Response By Rambus Inc. To Complaint Counsel's Request For Clarification Of The Grounds For Excluding Certain Deposition Testimony Of J. Reese Brown* to be served on the following persons by hand delivery:

Hon. Stephen J. McGuire
Chief Administrative Law Judge
Federal Trade Commission, Room H-112
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Donald S. Clark, Secretary
Federal Trade Commission, Room H-159
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Richard B. Dagen, Esq.
Assistant Director, Bureau of Competition
Federal Trade Commission
601 New Jersey Avenue, N.W.
Washington, D.C. 20001

M. Sean Royall, Esq.
Deputy Director, Bureau of Competition
Federal Trade Commission, Room H-372
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Malcolm L. Catt, Esq.
Attorney
Federal Trade Commission
601 New Jersey Avenue, N.W.
Washington, D.C. 20001

James M. Berry