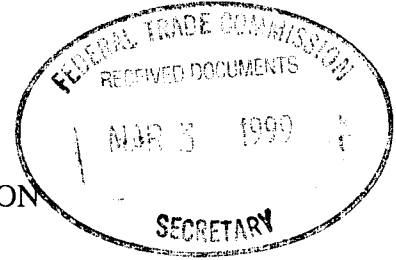


UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION



In the Matter of)
)
INTEL CORPORATION,)
)
a corporation.)
_____)

DOCKET NO. 9288

ORDER RE AMD'S APPLICATION FOR *IN CAMERA* TREATMENT OF
AMD'S FTC CID RESPONSE AND HERB DEPOSITION

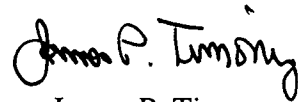
The party seeking *in camera* treatment has the burden of showing "that the public disclosure . . . will result in a clearly defined, serious injury to the person or corporation whose records are involved." *H.P. Hood & Sons, Inc.*, 58 F.T.C. 1184, 1186 (1961). Whenever an applicant seeks *in camera* treatment, it should demonstrate the necessity thereof by "using the most specific information available." *Bristol-Myers Co.*, 90 F.T.C. 455, 457 (1977). See also *Kaiser Aluminum & Chem. Co.*, No. 9080 (F.T.C. Jan. 3, 1978). There is a presumption that *in camera* treatment will not be provided to information that is three or more years old. See, e.g., *General Foods Corp.*, 95 F.T.C. 352, 353 (1980); *Crown Cork & Seal Co., Inc.*, 71 F.T.C. 1714, 1715 (1967).

AMD has sought *in camera* treatment of (1) civil investigative demand ("CID") responses provided by AMD to the FTC in response to an FTC subpoena; and (2) an excerpt from the deposition of AMD executive Rob Herb, given in this proceeding on December 17, 1998, which were attached as exhibits to Intel's January 20, 1999 Motion to Disqualify or Intel's January 29, 1999 Supplemental Memorandum in Support of the Motion to Disqualify. AMD's request is too broad.

It is hereby ORDERED that AMD shall (1) identify by specific response number the information in its CID and (2) identify by page and line number the specific information in the deposition transcript of Rob Herb for which it seeks *in camera* treatment. It is ORDERED that AMD shall renew its application for *in camera* treatment as soon as possible and no later than March 15, 1999.

The parties are FURTHER ORDERED to provide this order to other third parties who may seek *in camera* treatment of evidence in this matter.

The parties and third parties are FURTHER ORDERED they shall not file motions or applications under seal unless such pleadings reveal facts for which *in camera* treatment has been granted or will be sought.

A handwritten signature in black ink, appearing to read "James P. Timony". The signature is written in a cursive, somewhat stylized font.

James P. Timony
Administrative Law Judge

Dated: March 3, 1999