

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

E-filed: 4/8/2008

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

HYNIX SEMICONDUCTOR INC., HYNIX
SEMICONDUCTOR AMERICA INC.,
HYNIX SEMICONDUCTOR U.K. LTD., and
HYNIX SEMICONDUCTOR
DEUTSCHLAND GmbH,

Plaintiffs,

v.

RAMBUS INC.,

Defendant.

No. C-00-20905 RMW

ORDER REQUESTING INFORMATION
ABOUT DISSEMINATION OF JUROR
QUESTIONNAIRE

RAMBUS INC.,

Plaintiff,

v.

HYNIX SEMICONDUCTOR INC., HYNIX
SEMICONDUCTOR AMERICA INC.,
HYNIX SEMICONDUCTOR
MANUFACTURING AMERICA INC.,

SAMSUNG ELECTRONICS CO., LTD.,
SAMSUNG ELECTRONICS AMERICA,
INC., SAMSUNG SEMICONDUCTOR, INC.,
SAMSUNG AUSTIN SEMICONDUCTOR,
L.P.,

NANYA TECHNOLOGY CORPORATION,
NANYA TECHNOLOGY CORPORATION
U.S.A.,

Defendants.

No. C-05-00334 RMW

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

RAMBUS INC.,

Plaintiff,

v.

MICRON TECHNOLOGY, INC., and
MICRON SEMICONDUCTOR PRODUCTS,
INC.

Defendants.

No. C-06-00244 RMW

Today, April 8, 2008, the court's clerk received a call from an individual who stated he had received a fax consisting of 116 pages of the completed juror questionnaires from this case. The caller, who gave his name, fax number and telephone number to the court, stated that he has no connection with the case. The fax apparently had no fax cover sheet but at the top of the page was a fax number ((415) 773-0330) perhaps associated with the sender. The court's investigation suggests that the fax number belongs to the jury consulting firm Bonora D'Andrea, LLC, 115 Sansome Street, Suite 1125, San Francisco, CA 94104, and that the firm has been retained by most of the law firms involved in this litigation at some point.

The court's instructions on the questionnaires distributed to the prospective jurors stated: "[t]he information you provide may be shared with attorneys for the parties, but will otherwise be maintained as confidential absent further court order and advance notice to you." This language was agreed to by all parties. The court has made no order authorizing the release of these questionnaires and has not released any itself. The court is concerned that the representation to the prospective jurors has been breached.

The court hereby orders each law firm to do an internal investigation as to the cause of this apparent breach and report the results of that investigation to the court within five days of this order.

DATED: 4/8/2008



RONALD M. WHYTE
United States District Judge

1 **Notice of this document has been electronically sent to:**

2 Counsel for Rambus Inc., all actions		3 Counsel for Hynix entities, C-00-20905 and C-05-00334	
4 Burton Alexander Gross	Burton.Gross@mto.com	Allen Ruby	ruby@allenrubylaw.com
5 Carolyn Hoecker Luedtke	carolyn.luedtke@mto.com	Belinda Martinez Vega	bvega@omm.com
6 Catherine Rajwani	crajwani@sidley.com	Daniel J. Furniss	djfurniss@townsend.com
7 Craig N. Tolliver	ctolliver@mckoolsmith.com	Geoffrey Hurndall Yost	gyost@thelenreid.com
8 David C. Yang	david.yang@mto.com	Jordan Trent Jones	jtjones@townsend.com
9 Douglas A. Cawley	dcawley@mckoolsmith.com	Joseph A. Greco	jagreco@townsend.com
10 Erin C. Dougherty	erin.dougherty@mto.com	Kenneth Lee Nissly	kennissly@thelenreid.com
11 Gregory P. Stone	gregory.stone@mto.com	Kenneth Ryan O'Rourke	korourke@omm.com
12 Jennifer Lynn Polse	jen.polse@mto.com	Patrick Lynch	plynch@omm.com
13 Keith Rhoderic Dhu Hamilton, II	keith.hamilton@mto.com	Susan Gregory VanKeulen	svankeulen@thelenreid.com
14 Kelly Max Klaus	kelly.klaus@mto.com	Theodore G. Brown, III	tgbrown@townsend.com
15 Miriam Kim	Miriam.Kim@mto.com	Tomomi Katherine Harkey	tharkey@thelen.com
16 Peter A. Detre	detrepa@mto.com	17 Counsel for Micron entities, C-06-00244	
18 Pierre J. Hubert	phubert@mckoolsmith.com	Aaron Bennett Craig	aaroncraig@quinnemanuel.com
19 Rosemarie Theresa Ring	rose.ring@mto.com	David J. Ruderman	davidruderman@quinnemanuel.com
20 Scott L Cole	scole@mckoolsmith.com	Harold Avrum Barza	halbarza@quinnemanuel.com
21 Scott W. Hejny	shejny@sidley.com	Jared Bobrow	jared.bobrow@weil.com
22 Sean Eskovitz	sean.eskovitz@mto.com	John D Beynon	john.beynon@weil.com
23 Steven McCall Perry	steven.perry@mto.com	Leeron Kalay	leeron.kalay@weil.com
24 Thomas N Tarnay	ttarnay@sidley.com	Linda Jane Brewer	lindabrewer@quinnemanuel.com
25 William Hans Baumgartner, Jr	wbaumgartner@sidley.com	Rachael Lynn Ballard McCracken	rachaelmccracken@quinnemanuel.com
26		Robert Jason Becher	robertbecher@quinnemanuel.com
27		Yonaton M Rosenzweig	yonirosenzweig@quinnemanuel.com
28			

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Counsel for Nanya entities, C-05-00334		Counsel for Samsung entities, C-05-00334 and C-05-02298	
Chester Wren-Ming Day	cday@orrick.com	Ana Elena Kadala	anita.kadala@weil.com
Craig R. Kaufman	ckaufman@orrick.com	Claire Elise Goldstein	claire.goldstein@weil.com
Glenn Michael Levy	glevy@orrick.com	David J. Healey	david.healey@weil.com
Jan Ellen Ellard	jellard@orrick.com	Edward Robert Reines	Edward.Reines@weil.com
Jason Sheffield Angell	jangell@orrick.com	Matthew D. Powers	matthew.powers@weil.com
Kaiwen Tseng	ktseng@orrick.com		
Mark Shean	mshean@orrick.com		
Robert E. Freitas	rfreitas@orrick.com		
Vickie L. Feeman	vfeeman@orrick.com		

Counsel for intervenor, Texas Instruments, Inc., C-05-00334	
Kelli A. Crouch	kcrouch@jonesday.com
Counsel for intervenor, United States Department of Justice, C-00-20905	
Eugene S. Litvinoff	eugene.litvinoff@usdoj.gov
May Lee Heye	may.hey@usdoj.gov
Nathanael M. Cousins	nat.cousins@usdoj.gov
Niall Edmund Lynch	Niall.Lynch@USDOJ.GOV
Counsel for intervenor, Elpida Memory, Inc., C-00-20905 and C-05-00334	
Eric R. Lamison	elamison@kirkland.com
John J. Feldhaus	jfeldhaus@foley.com

Counsel are responsible for distributing copies of this document to co-counsel that have not registered for e-filing under the court's CM/ECF program in each action.

Dated: 4/8/2008

TSF
Chambers of Judge Whyte