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## Rambus, Inc., Q4 2008 Earnings Call Transcript

### Question-and-Answer Session

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#### Operator

(Operator Instructions). We will have our first question from Jeff Schreiner with Capstone Investments.

#### Jeffrey Schreiner - Capstone Investments

Good afternoon, everyone. Thank you very much for taking my call. Tom, the first question I have, I was just wondering, could you provide some interpretation for us, for investors and what if any significant Judge Robinson's decision to stay providing a final ruling over in Delaware has or it might have on the Northern District of California proceeding with Judge Whyte?

#### Thomas Lavelle

Yes, it's a good question. Thanks Jeff. We are hoping and expecting that the two judges who have nearly opposite ruling from the set of facts, will enable the cases to go up on appeal together and that I think would make an awful lot of sense from a judicial efficiency point of view and enabling things to get resolved as expeditiously as possible. And so that's what we're hoping and expecting is happening with respect to Judge Robinson. Judge Whyte has already indicated he is interested in accomplishing that same goal as I have pointed out in my prepared remarks.

#### Jeffrey Schreiner - Capstone Investments

All right thanks just another question here. What about the others they are getting tomorrow obviously after all the briefings were filed as to what impact if any Delaware may have in Judge Whyte's court room. Would it be logical to think that, that decision will need to be made before the first free trial hearing on February 5th?

#### Thomas Lavelle

I would hope so but I don't want to predict that certainly it's going to happen before February 17th and obviously it would make sense to make it earlier than that will probably know a lot more after tomorrow afternoon's hearing in front of Judge Whyte.

#### Jeffrey Schreiner - Capstone Investments

Okay, one more for you, Tom. Do you have any more insight you just stated tonight on the call the trial takes place at 16th of March in terms of Judge Cramer's court any more insight into whether or not the defendants in that case are going to try to bring a Delaware decision into that case?

**Thomas Lavelle**

Yes there is defiantly a intent on the part of the defendants and bring in the Delaware decision to try to impact that case whether they are successful is a very different question. Keep in mind that San Francisco case is not a patent case. It is an unfair competition effectively and I trust case that doesn't depend on patents whatsoever, and it is our expectations and hope that the Delaware decision has no impact on San Francisco but again it's a court of law and we'll find out more when we are in front of Judge Cramer.

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