

EXHIBIT D

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United States District Court
Northern District of California
Before The Honorable Phyllis J. Hamilton

In re: Dynamic Random)
Access Memory Antitrust)
Litigation)
_____)

No. MDL 02-1486 PJH

San Francisco, California
Wednesday, August 15, 2007

Reporter's Transcript Of Proceedings

Appearances:

For Plaintiff:

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111 Pine Street, Suite 1700
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By: Guido Saveri, Esquire
Richard Alexander Saveri, Esquire

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By: Anthony D. Shapiro, Esquire

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By: Joseph D. Cooper, Esquire

(Appearances continued on next page.)

Reported By:

Sahar McVickar, RPR, CSR No. 12963
Official Reporter, U.S. District Court
For the Northern District of California

(Computerized Transcription By Eclipse)

Appearances, continued:

For Plaintiff:

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(Appearances continued on next page.)

Appearances, continued:

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By: Julian Brew, Esquire

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1 Wednesday, August 15, 2007 9:00 a.m.

2 P R O C E E D I N G S

3 THE CLERK: Calling MDL case number 02-1486, Dynamic
4 Random Access Memory.

5 Appearances.

6 MR. SAVERI: Good morning, Your Honor.

7 Guido Saveri for the direct plaintiffs.

8 THE COURT: Good morning.

9 MR. SAVERI: What we have this morning is
10 plaintiff's motion for attorney fees, and that motion is going
11 to be presented by Mr. Shapiro, co-lead counsel.

12 I would like to report to the Court one thing.

13 since we were out here last time, you will recall that you

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8 MR. SHAPIRO: Correct.

9 THE COURT: Okay.

10 All right, then the -- then is there anything you
11 wish to add before I make my final determination with regard to
12 the fee request?

13 MR. SHAPIRO: Not unless Your Honor has further
14 questions.

15 THE COURT: No, you've answered my questions.

16 All right, I think I can conclude on the basis with
17 my five years with you all, watching this litigation progress
18 and seeing it wind to a conclusion, that the results are
19 exceptional. The percentages, as you've outlined them, do put
20 this in one of the upper categories of results in this kind of
21 a class action.

22 I'm aware of the complexity, both in terms of the
23 substantive law that was at issue -- we had a lot of motions in
24 this case, and I must say no unnecessary motions. I thought
25 that you all did an exceptionally good job of bringing to me

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1 only those matters that really required the Court's attention.

2 You did an exceptionally good job at organizing and
3 managing the case in assisting me in management of the case.
4 There was excellent coordination between all of the various
5 different plaintiffs' counsel, with your group and the other
6 groups that are part of this litigation. You have coordinated
7 very well with defense counsel. Everyone has been extremely
8 cooperative, given just the massive nature of this case. So my
9 conclusion is the case was well litigated by both sides, well
10 managed as well by both sides.

11 The defense I also will take the opportunity to
12 compliment as well in their coordination. You all didn't have

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21 All right, are there any other questions? Anything
22 I've overlooked?

23 MR. SHAPIRO: No, Your Honor.

24 THE COURT: Okay, then I just have a concluding
25 remark.

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1 Little did I know five years ago when I consented to
2 having this multi-district litigation assigned to me what an
3 incredible drain on my time and resources that this case would
4 entail. And we have now just concluded the first portion of
5 the case. There is now still plenty of it left, and I'm sure
6 it will be on my docket until I retire.

7 (Laughter.)

8 THE COURT: Nonetheless, it's been very satisfying
9 to watch the litigation, to be involved in it. You all -- and
10 I'm speaking to defense counsel as well, you all have done an
11 exceptionally good job in coordinating management and
12 litigating the case. As I've said, I think that you have been
13 very respectful of my time. You have been very careful to not
14 bring me a lot of unnecessary matters to deal with.

15 I know that that wouldn't occur, because I've got
16 cases that are a fraction of the size of this case that I spend
17 a lot more time on just because counsel aren't acting as
18 cooperatively and as professionally as you all have.

19 So I just wanted to take the opportunity to tell you
20 that even though in a typical class approval, final approval
21 motion I hear this, I read week after week this language about
22 how well, how hard fought the litigation was, and able your
23 adversary was and the kind of exceptional results that you
24 achieved, but this time I have to say that I think the language
25 that appears in your motion is deserved. It's not just mere

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1 puffery. I think both have done an incredible job. And I just
2 wanted to thank you all for your courtesy to the Court and to
3 each other, which has been obvious.

4 MR. SHAPIRO: We would like to thank you, Your
5 Honor.

6 THE COURT: All right, then, that concludes this
7 portion of the case. Thank you.

8 THE CLERK: Calling civil case number 02-1486,
9 Dynamic Random Access Memory Antitrust Litigation, indirect
10 purchaser's portion.

11 Appearances.

12 MR. O'ROURKE: Good morning, Your Honor.

13 I'm Ken O'Rourke with the Hynix Semiconductor
14 defendants.

15 With me this morning, my colleague, Timothy Martin.

16 THE COURT: Good morning.

17 MR. COOPER: Good morning, Your Honor.

18 Joseph Cooper, one of plaintiff's co-lead counsel.

19 Mr. Corbitt will be presenting the indirect
20 purchaser plaintiffs' position.

21 THE COURT: What was the name?

22 MR. COOPER: Craig Corbitt from Zelle Hofmann.

23 THE COURT: All right, good morning.

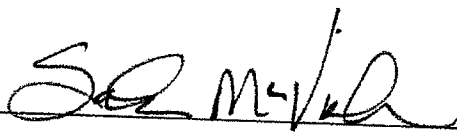
24 All right, this is DRAM, part 2, all right, the
25 indirect purchasers. I have on calendar this morning the

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1 plaintiff's motion to file the second amended complaint. I
2 understand that you all have filed an amended complaint
3 following my grant of the defendant's motion for judgment on
4 the pleadings, but I indicated that the defendant should wait

CERTIFICATE OF REPORTER

I, Sahar McVickar, Official Court Reporter for the United States Court, Northern District of California, hereby certify that the foregoing proceedings were reported by me, a certified shorthand reporter, and were thereafter transcribed under my direction into typewriting; that the foregoing is a full, complete and true record of said proceedings as bound by me at the time of filing. The validity of the reporter's certification of said transcript may be void upon disassembly and/or removal from the court file.



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August 17, 2007