

# EXHIBIT A



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Floyd too soon

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From: Floyd, Daniel S. [<mailto:DFloyd@gibsondunn.com>]  
Sent: Wednesday, August 13, 2008 4:11 PM  
To: Diamond, Chuck  
Cc: Davidson, Michelle  
Subject: RE: I may have spoken too soon

I think you should serve a response, making your work product objections and agreeing to supply what you indicate you would provide below. I would appreciate if the response included the time frame Waggoner was hired for which you are claiming work product. Unless I learn something that is inconsistent with the facts you've laid out, I don't intend to move on those objections.

From: Diamond, Chuck [mailto:[CDiamond@OMM.com](mailto:CDiamond@OMM.com)]  
Sent: Wednesday, August 13, 2008 3:58 PM  
To: Floyd, Daniel S.  
Cc: Davidson, Michelle  
Subject: RE: I may have spoken too soon

That is my recollection as well. The issue recurs because of Intel's recent subpoena to Waggoner. O'Melveny hired Waggoner, like Glover Park, in connection with litigation; specifically to assist counsel in developing messaging for legal and regulatory audiences here and in Europe. We have no objection to Waggoner producing any relevant documents they may have received or developed in connection with prior commercial work for AMD. But we would like to have the understanding that you and I reached with respect to Glover Park's litigation work product apply to Waggoner's as well.

How should we proceed?

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From: Floyd, Daniel S. [mailto:[DFloyd@gibsondunn.com](mailto:DFloyd@gibsondunn.com)]  
Sent: Wednesday, August 13, 2008 3:17 PM  
To: Diamond, Chuck  
Subject: RE: I may have spoken too soon

I've looked around my massive electronic database, and the best I can come up with is that you served objections to the Glover Park subpoena, and either shortly before or after we served these other subpoenas with similar requests. We then had a discussion and withdrew the other subpoenas, and it appears we simply did not pursue the Glover Park subpoena in light of your objections. I don't seem to have a stip focused on Glover Park in particular, so it may very well have been since you had objections pending we just dropped it. I have a letter from Linda in Fall 2007 referring to the Glover Park objections, so I don't see why we would have had an entirely separate stip on that issue during the same time frame we were dealing with these other subpoenas. I can't be 100% sure, but that's the best I can piece together.

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From: Diamond, Chuck [mailto:[CDiamond@OMM.com](mailto:CDiamond@OMM.com)]  
Sent: Wednesday, August 13, 2008 2:54 PM  
To: Floyd, Daniel S.  
Subject: RE: I may have spoken too soon

I was just about to email you that. I recall an agreement on litigation consultants that was precipitated by your SDT on Glover Park Group.

And yes, I'll get back to you on the expert document proposal.

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From: Floyd, Daniel S. [mailto:[DFloyd@gibsondunn.com](mailto:DFloyd@gibsondunn.com)]  
Sent: Wednesday, August 13, 2008 2:52 PM  
To: Diamond, Chuck  
Subject: I may have spoken too soon

I think I need to pull up another stip. Let me check.

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"MMS <[Gibsondunn.net](mailto:Gibsondunn.net)>" made the following annotations.

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