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September 22, 2017
VIA E-FILING

OUR FILE NO. 351912-000029

The Honorable Lisa R. Barton
Secretary
U.S. International Trade Commission
500 E Street, S.W., Room 112
Washington, D.C. 20436

**Re: In the Matter of Certain Non-Volatile Memory Devices and Products Containing Same,
Inv. No. 337-TA-1046**

Dear Secretary Barton:

Enclosed please find the Agreement to be Bound by the Protective Order for Charles F. Graf on behalf of Respondents Toshiba Corporation, Toshiba America, Inc., Toshiba America Electronic Components, Inc., Toshiba America Information Systems, Inc., and Toshiba Information Equipment (Philippines) Inc. (collectively, "Toshiba") in the above-referenced proceeding.

Respectfully submitted,

DLA Piper LLP (US)

/s/ Aaron Wainscoat

Aaron Wainscoat
Partner

Admitted to practice in California

cc: Service list as attached

September 21, 2017

VIA E-FILING

The Honorable Lisa R. Barton
Secretary
U.S. International Trade Commission
500 E Street, S.W.
Washington, D.C. 20436

**Re: In the Matter of Certain Non-Volatile Memory Devices and Products Containing Same
Inv. No. 337-TA-1046**

Dear Secretary Barton:

The undersigned graphics consultant for Respondents Toshiba Corporation, Toshiba America, Inc., Toshiba America Electronic Components, Inc., Toshiba America Information Systems, Inc., and Toshiba Information Equipment (Philippines) Inc., hereby certifies that I have read Order No. 1: Protective Order, Order No. 3: Amendment to Protective Order, and Order No. 13: Granting Joint Motion to Amend the Protective Order, issued by Administrative Law Judge Dee Lord in this Investigation on April 10, 12, and 20, 2017. In accordance with Order Nos. 1, 3, and 13, I hereby agree:

- a. to be bound by the terms thereof;
- b. not to reveal such confidential business information to anyone other than another person designated in paragraph 3; and
- c. to utilize such confidential business information solely for the purposes of this investigation.

I, the undersigned, further acknowledge that information submitted for purposes of this Investigation may be disclosed to and used:

- (i) by the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or
- (ii) by U.S. government employees and contract personnel, solely for cybersecurity purposes. I understand that all contract personnel will sign appropriate nondisclosure agreements.

The Honorable Lisa R. Barton
September 21, 2017
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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Charles F. Graf". The signature is fluid and cursive, with a small "tg" or similar mark at the end.

Charles F. Graf
Blueprint Trial Consulting
Partner / Senior Graphic Consultant

cc: Service list as attached.

CERTIFICATE OF SERVICE

I, Laurie E. Ouchida, hereby certify that on September 22, 2017, a copy of **AGREEMENT TO BE BOUND BY THE PROTECTIVE ORDER OF CHARLES F. GRAF** was served on the following as indicated:

The Honorable Lisa R. Barton
Secretary
U.S. International Trade Commission
500 E Street, S.W.
Washington, D.C. 20436

☐ Via Hand Delivery
☐ Via Overnight Courier
☒ Via E-Filing

The Honorable Dee Lord
Administrative Law Judge
U.S. International Trade Commission
500 E Street, S.W.
Washington, D.C. 20436
E-mail: edward.jou@usitc.gov

☐ Via Hand Delivery
☐ Via Overnight Courier
☒ Via Electronic mail

Vu Bui
Office Of Unfair Import Investigations
U.S. International Trade Commission
500 E Street, S.W.
Washington, D.C. 20436
E-mail: vu.bui@usitc.gov

☐ Via Hand Delivery
☐ Via Overnight Courier
☒ Via Electronic Email

Complainants Macronix International Co., Ltd. and Macronix America, Inc.:

Christian A. Chu
Fish & Richardson P.C.
The McPherson Building
901 15th Street NW, 7th Floor
Washington, D.C. 20005
Email: FRService-Macronix/Toshiba@fr.com

☒ Via Electronic Mail

/s/ Laurie E. Ouchida

Laurie E. Ouchida
Paralegal Specialist
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