

EXHIBIT N

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

FILED-CLERK
U.S. DISTRICT COURT
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TX EASTERN-MARSHALL

MARSHALL DIVISION

BY _____

INTERGRAPH HARDWARE
TECHNOLOGIES COMPANY

§

VS.

§

CIVIL ACTION NO. 2:02-CV-312

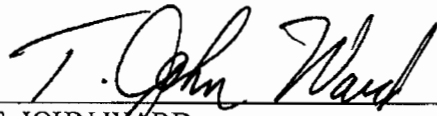
DELL COMPUTER CORPORATION
ET AL.

§

ORDER

HP's motion to compel disclosure of information relating to the March 29, 2004 agreement between Intel and Intergraph (#258) is denied. The settlement negotiations sought to be discovered are privileged as a matter of federal common law, as set forth by the court in *Goodyear Tire & Rubber Co. v. Chiles Power Supply, Inc.*, 332 F.3d 967 (6th Cir. 2003). In addition, HP has failed to show that the settlement negotiations and statements made during the course of those negotiations would be particularly relevant to any of the claims or defenses in this case. The agreement itself is certainly relevant to certain claims and/or defenses, but the plaintiff has already produced the agreement. Apart from the terms of the actual agreement, the court is not persuaded that the details of the negotiations should be the subject of discovery in this case.

So **ORDERED** and **SIGNED** this 2nd day of June, 2004.



T. JOHN WARD
UNITED STATES DISTRICT JUDGE