

1. I am an attorney at Stoel Rives LLP and counsel of record for Defendant Micron Electronics, Inc. ("MEI"). I am familiar with this case and make this affidavit based on my personal knowledge. I submit this affidavit in support of Defendant's Motion to Dismiss Claimants: Kevin Aubert, Ryan Ball, Heidi M. Brady, Carlisle Burnette, John Caprai, Dennis Christensen, Heather Elliott, Julie Gardner, Beverly J. Hilliard, Kurt Kluessendorf, Erick Little, Carron Mattson, Mark McKenzie, Ginger North, Jeff Parrish, Michael Schoonveld, Carly D. Seader, Matthew Severson, Kurt Swanson, Robert S. Wood and Patrick Worthington.

2. On March 19, 2004, Kim J Dockstader sent a letter to Christopher F. Huntley, counsel for Plaintiffs, requesting the depositions of fifty-eight class members. The letter indicated that counsel for Defendant was blocking out the weeks of April 5-9, April 12-16, April 19-22 and April 26-30, 2004 to take these depositions. A true and correct copy of the letter is attached hereto as **Exhibit A**.

3. Approximately two weeks later, on April 2, 2004, Kim J Dockstader sent another letter to counsel for Plaintiffs, indicating we had only received available deposition dates for two or three of the fifty-eight class members for which we had requested dates. The letter stated that if we did not have available deposition dates by April 7, 2004, we would proceed with noticing the depositions. A true and correct copy of the letter is attached hereto as **Exhibit B**.

4. On April 6, 2004, in response to Daniel E. William's correspondence of April 5, 2004, Kim J Dockstader sent a letter to Plaintiffs' counsel agreeing to extend the discovery deadline for class certification issues beyond May 3, 2004, solely for the purpose of taking depositions. The letter also indicated that out of the fifty-eight class members requested for deposition, Defense counsel would agree to remove eleven class members from the list, reducing the number of depositions to forty-seven. Attached to the letter was a proposed deposition

schedule, which would be modified if Plaintiffs' counsel provided us with available deposition dates for the class members. The letter further stated that if Plaintiffs' counsel did not provide available dates by April 7, 2004, we would move forward with noticing the depositions on April 8, 2004, as indicated on the proposed deposition schedule. A true and correct copy of the letter and enclosed deposition schedule is attached hereto as **Exhibit C**.

5. Plaintiffs' counsel did not provide available deposition dates for the class members by April 7, 2004. Therefore, on April 8, 2004, we served Plaintiffs' counsel with Defendant Micron Electronics, Inc.'s Notice of Deposition Duces Tecum of Plaintiffs and Selected Class Members (hereinafter "Deposition Notice"). The Deposition Notice requested the depositions of forty-one Plaintiffs and class members. A true and correct copy of the Deposition Notice is attached hereto as **Exhibit D**.

6. Many of the class members' depositions went forward pursuant to the Deposition Notice. Several depositions had to be rescheduled due to the class members' schedules and Plaintiffs' counsel's inability to contact class members. We worked with Plaintiffs' counsel to reschedule these depositions at an agreed upon date and time.

7. I traveled to and was present in Minneapolis, Minnesota from April 28, 2004 through May 5, 2004, for the sole purpose of deposing Plaintiffs and class members listed in the Deposition Notice who reside in Minnesota.

8. Pursuant to the Deposition Notice, claimant Dennis Christensen was to appear for his deposition in Minneapolis on April 28, 2004 at 1:00 p.m. I was personally present at the location and time designated in the Deposition Notice for Mr. Christensen's deposition. Mr. Christensen failed to appear for his deposition.

9. On April 29, 2004, Kim J Dockstader sent a letter to Plaintiffs' counsel concerning depositions that had been noticed but not taken due to the deponent not appearing, the deponent claiming they were unavailable, or the deponent not responding to Plaintiffs' counsel's attempts to contact them. The deponents included Michael Schoonveld, Kurt Swanson, Dennis Christensen, Julie Gardner and Erick Little. The letter stated that we will be filing a motion to strike the consents of these class members and to exclude them from the conditionally certified class. A true and correct copy of the letter is attached hereto as **Exhibit E**.

10. On April 30, 2004, our office was notified by Plaintiffs' counsel that Julie Gardner, who allegedly was unavailable to appear at her scheduled deposition in Minneapolis on April 29, 2004, wanted to reschedule. I offered the alternative times and dates of the afternoon of Monday, May 3, 2004, or after 3:30 p.m. on May 4, 2004, as these were the only times I had available during my deposition trip to Minneapolis. Ms. Gardner did not make herself available for deposition on either of these dates.

11. Pursuant to the Deposition Notice, claimant Mark McKenzie was to appear for his deposition in Minneapolis on May 3, 2004 at 9:00 a.m. I was personally present at the location and time designated in the Deposition Notice for Mr. McKenzie's deposition. Mr. McKenzie failed to appear for his deposition.

12. On May 4, 2004, Kim J Dockstader sent a letter to Daniel E. Williams confirming that it was our understanding, based on prior telephone conversations with his office, that claimant Jeff Parrish has decided to opt-out of the lawsuit. The letter stated that we consequently vacated Mr. Parrish's deposition and would file a motion to strike his consent and dismiss him from the action. A true and correct copy of the letter is attached hereto as **Exhibit F**.

13. On May 5, 2004, Kim J Dockstader sent a letter to Plaintiffs' counsel once again requesting information concerning class members who did not appear for their depositions, claimed they were unavailable for their depositions, or did not respond to Plaintiffs' counsel's attempts to contact them. The class members included those listed above in Paragraph 9, along with Mark McKenzie, who did not appear for his deposition. The letter stated that if we did not receive information or reasons why these class members should not be stricken or dismissed by May 7, 2004, we will file a motion to strike or dismiss the consents of these claimants. The letter also requested written confirmation that the following claimants have opted out of the lawsuit: Michael Schoonveld, Kevin Aubert, Kurt Kluessendorf, Erick Little, Ginger North, Matthew Severson, Patrick Worthington and Jeff Parrish. We had previously been notified by Plaintiffs' counsel's office that these class members were opting out of the lawsuit, along with Carlisle Burnette. A true and correct copy of the letter is attached hereto as **Exhibit G**.

14. Plaintiffs' counsel has not provided any information or reasons why class members Dennis Christensen, Mark McKenzie, Julie Gardner and Kurt Swanson should not be stricken or dismissed. Plaintiffs' counsel also has not provided any information contrary to their original notice that the following class members are opting out of the lawsuit: Kevin Aubert, Carlisle Burnette, Kurt Kluessendorf, Erick Little, Ginger North, Jeff Parrish, Michael Schoonveld, Matthew Severson and Patrick Worthington.

15. On July 6, 2001, John Caprai filed his Consent to Join Collective Action (Docket No. 41). A true and correct copy is attached hereto as **Exhibit H**. In the space provided for "Job Title(s) after June 1, 1998", Mr. Caprai wrote, "Product Development Engineer." Mr. Caprai's employment records do not suggest he held a position other than Engineer during the period June 1, 1998 to May 31, 2001.

16. On September 20, 2001, Carren Mattson filed her Consent to Join Collective Action (Docket No. 59). A true and correct copy is attached hereto as **Exhibit I**. In the space provided for "Job Title(s) after June 1, 1998", Ms. Mattson wrote, "Sales Asst." Ms. Mattson's employment records do not suggest she held a position other than Sales Assistant during the period June 1, 1998 to May 31, 2001.

17. On May 20, 2004, we received Plaintiffs' Responses to Defendant Micron Electronics, Inc.'s Third Set of Requests for Admission. A true and correct copy is attached hereto as **Exhibit J**. Plaintiffs' response to Request For Admission No. 395 admits that Heather Elliott was not an inside sales representative during the course of her employment with MEI. Plaintiffs' response to Request For Admission No. 401 admits that Carly D. Seader was not an inside sales representative during the course of her employment with MEI. Plaintiffs' response to Request for Admission No. 397 does not admit or deny that Beverly J. Hilliard was not an inside sales representative during the course of her employment with MEI, because they were unable to contact Ms. Hilliard, "despite reasonable inquiry."

18. On January 31, 2003, Beverly J. Hilliard filed her Consent to Join Collective Action (Docket No. 162). A true and correct copy is attached hereto as **Exhibit K**. In the space provided for "Job Title(s) after June 1, 1998", Ms. Hilliard wrote, "Customer Service Rep/Sales." Ms. Hilliard's employment records do not suggest she held a position other than Customer Service Representative during the period June 1, 1998 to May 31, 2001.

19. On August 14, 2003, Robert S. Wood filed his Consent to Join Collective Action (Docket No. 170). A true and correct copy is attached hereto as **Exhibit L**. In the space provided for "Location where you worked", Mr. Wood wrote, "Micron Elec. Salt Lake City Retail Store, Salt Lake City, UT."

20. On January 31, 2003, Ryan Ball filed his Consent to Join Collective Action (Docket No. 162). A true and correct copy is attached hereto as **Exhibit M**. In the space provided for "Location where you worked", Mr. Ball wrote, "Boise Retail Store." In the space provided for "Job Title(s) after June 1, 1998", Mr. Ball wrote, "Sales Representative." Mr. Ball's employment records indicate he was a *retail* sales representative working at a retail store (not a call center) during the period June 1, 1998 to May 31, 2001.

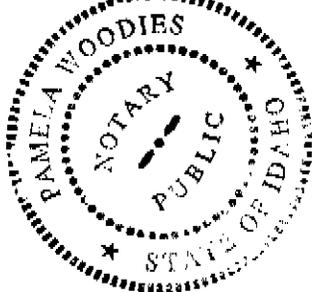
21. On January 31, 2003, Heidi M. Brady filed her Consent to Join Collective Action (Docket No. 162). A true and correct copy is attached hereto as **Exhibit N**. In the space provided for "Location where you worked", Ms. Brady wrote, "Boise/Emerald Micronpc.com." In the space provided for "Job Title(s) after June 1, 1998", Ms. Brady wrote, "Customer Service Representative." Ms. Brady's employment information indicates she was a Customer Service Representative working at a retail store (not a call center) during the period June 1, 1998 to May 31, 2001.

FURTHER YOUR AFFIANT SAYETH NAUGHT.



Gregory C. Tollefson

SUBSCRIBED AND SWORN to before me this 14 day of June, 2004.





Notary Public for Idaho
Residing in: Boise Idaho
My Commission Expires: 2/25/2010

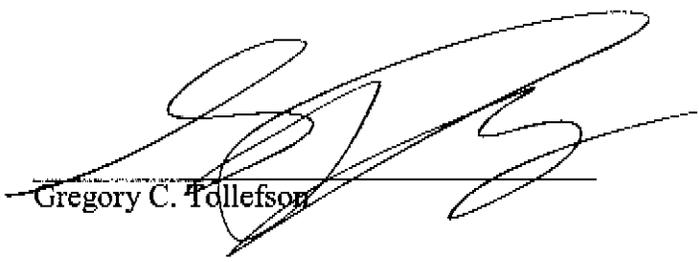
AFFIDAVIT OF GREGORY C. TOLLEFSON IN SUPPORT OF DEFENDANT'S MOTION TO STRIKE CONSENTS AND DISMISS CLAIMANTS - 7

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of June, 2004, I caused to be served a true copy of the foregoing **AFFIDAVIT OF GREGORY C. TOLLEFSON IN SUPPORT OF DEFENDANT'S MOTION TO STRIKE CONSENTS AND DISMISS CLAIMANTS (Re: Kevin Aubert, Ryan Ball, Heidi M. Brady, Carlisle Burnette, John Caprai, Dennis Christensen, Heather Elliott, Julie Gardner, Beverly J. Hilliard, Kurt Khuessendorf, Erick Little, Carren Mattson, Mark McKenzie, Ginger North, Jeff Parrish, Michael Schoonveld, Carly D. Seader, Matthew Severson, Kurt Swanson, Robert S. Wood and Patrick Worthington)** by the method indicated below, addressed to the following:

William H. Thomas
Daniel E. Williams
Christopher F. Huntley
HUNTLEY PARK LLP
250 South Fifth Street
PO Box 2188
Boise, Idaho 83701-2188
Fax: 208 345 7894

- Via U. S. Mail
- Via Hand-Delivery
- Via Overnight Delivery
- Via Facsimile



Gregory C. Tollefson

EXHIBIT A



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March 19, 2004

KIM J DOCKSTADER
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VIA FACSIMILE AND MAIL (208) 345-7894

Christopher F. Huntley
Huntley Park LLP
250 South 5th, Suite 660
P.O. Box 2188
Boise, Idaho 83701

Re: Smith, et al. v. Micron Electronics, Inc.

Dear Chris:

Thank you for your letter of today's date regarding the scheduling of depositions. We will take your letter under advisement with our client. We also will be back in touch with you shortly to set forth any potential issues or concerns, as well as to discuss any necessary scheduling logistics.

The timing of your letter is interesting, given that we were just meeting earlier today to discuss our similar request to schedule depositions of the plaintiffs and selected claimants. We presently want to schedule depositions of the following individuals:

Laura Anderson
Michael Angus
Kevin Aubert
Destiny J. Baxter
Stefanie Bistline
David L. Blair
William Brinckerhoff
Carlisle C. Burnette
Dennis R. Christensen
Jeffery Clevenger
Marilyn Craig
Rory Kip DeRouen
Hector Dimas

Ricky S. Ferrara
Eric Fillmore
Alan Garcia
Julie Gardner
Matthew L. Hagman
Deborah E. Harris
Tim Hedding
Kevin Henderson
Michael Hinckley
Jacqueline Hladun
Jared Hodges
Dale Hope
Don Hopkins

Randy P. Howell
Timothy Kaufmann
David R. Kestner
Kurt A. Kluessendorf
Michael Larscheid
Erick Little
Marvin Lee Masteller
Carren Mattson
Robert McCarter
Charles K. McGuire
Mark R. McKenzie
Stephen Miller
Deborah Monahan

Oregon
Washington
California
Utah
Idaho



Christopher F. Huntley
March 19, 2004
Page 2

Ginger North
Chris Papero
Jeffrey Parrish
Susan Pierce
Thomas G. Robertson
Michelle Saari
Michael Schoonveld

Carly D. Seader
Matthew K. Severson
Kimberley Smith
Cheryl (Whitnett) Stumph
Kurt Swanson
Rose Thics
David A Thom

Tawni Weaver
Tracy Scott Wells
Nanette S. Westenhaver
Christopher Wing
Camille Woodworth
Patrick Harris Worthington

Like you, we have tried to be as inclusive as possible; however, there likely will be other persons whom we will want to depose. We are in the process of identifying those individuals and will let you know. As indicated above, we are happy to work with you as best we can to accommodate any necessary scheduling logistics, such as travel and double-setting (if necessary).

We are tentatively blocking out the following weeks or dates on our calendars for depositions in this case: April 5-9, April 12-16, April 19-22 and April 26-30, 2004. We would ask that you do the same, or that you advise us as soon as possible if any of these dates are unavailable to you.

Our point of contact for scheduling logistics will be our paralegal, Deanna Brothers. I think it makes sense to have Glenys and Deanna work out initial scheduling details, subject to approval and written confirmation by counsel of record.

If you have any questions, please do not hesitate to contact me.

Very truly yours,


Kim J Dockstader

KJD:kjd:pzw

EXHIBIT B



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April 2, 2004

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VIA FACSIMILE AND MAIL (208) 345-7894

William H. Thomas
Daniel E. Williams
Christopher F. Huntley
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P.O. Box 2188
Boise, Idaho 83701

Re: *Smith, et al. v. Micron Electronics, Inc.*

Gentlemen:

As you are aware, unless we stipulate otherwise, our current discovery cut-off deadline for class certification issues is May 3, 2004. Between the parties, we have seventy-two depositions to schedule for the month of April. Deanna Brothers, our paralegal, has contacted your secretary Glenys to try and schedule the depositions, but it appears that we do not agree as to how the depositions should be scheduled, nor has any progress been made as to the available deposition dates for the plaintiffs and claimants.

Deanna called Glenys on Tuesday, March 23, 2004 to discuss deposition scheduling. Glenys informed Deanna that she was going to start calling the plaintiffs/claimants to find out their available deposition dates for the month of April. Deanna told Glenys she would call back the following week to find out the available dates. Deanna called Glenys back on Tuesday, March 30, 2004 and left a message for Glenys.

Deanna called again on Wednesday, March 24, 2004 and spoke with Glenys, who indicated that your preference is to schedule the out of state depositions first. Therefore, Glenys had contacted only the out of state plaintiffs/claimants that we identified for depositions. Although Glenys stated that she called all of the out of state plaintiffs/claimants, she indicated that only two or three had returned her calls concerning their available deposition dates for the month of April. Glenys told Deanna that she had not contacted any of the Idaho plaintiffs/claimants to request their available deposition dates.

Oregon
Washington
California
Utah
Idaho



William H. Thomas
Daniel E. Williams
Christopher F. Huntley
April 2, 2004
Page 2

This presents a problem, considering that our preference is to schedule the Idaho depositions first. Glenys also indicated that your preference is to take the depositions of the individuals you identified first, particularly the out of state depositions. In the interest of being fair, we should take turns with the depositions, alternating between Plaintiffs' depositions and Defendant's depositions.

Needless to say, if we do not have the available deposition dates for the plaintiffs/claimants, we are unable to start scheduling all of these depositions. Therefore, if we do not receive by Wednesday, April 7, 2004 the available deposition dates for the month of April for all plaintiffs/claimants we identified in our letter of March 19, 2004, we will have no choice but to start scheduling the depositions at a time most convenient for us. Because you have not provided the available dates in a timely fashion, we cannot provide the courtesy of working around your clients' schedules.

We have been in contact with all of the individuals you identified for depositions. Attached is a calendar for the month of April with all of the available dates for these individuals. As you can see from the attached calendar, at least one or more of the individuals you identified have been made available for deposition for every single week day during the month of April (excluding April 23, 2004 as Defense counsel is unavailable). Please note that although we have contacted Jay Church, Jaime Nava, Vicki Quantie and Mike Adkins, their available dates have not yet been determined. We will provide you with these dates by Wednesday, April 7, 2004.

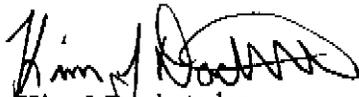
In addition, please note that we will need further information from you before we consider making Joel Kocher available for deposition. Case law indicates that the deposition of a high-ranking corporate executive, particularly a CEO like Mr. Kocher, should only be allowed where plaintiffs demonstrate that the information sought is relevant and cannot be obtained through less intrusive means. Please identify, with specificity, the relevant knowledge and involvement that Mr. Kocher allegedly possesses that you feel would warrant his deposition. Unless we receive this information, we cannot even consider making Mr. Kocher available for deposition.



William H. Thomas
Daniel E. Williams
Christopher F. Huntley
April 2, 2004
Page 3

If you have any questions, please do not hesitate to contact me.

Very truly yours,



Kim J Dockstader

Enclosure

APRIL CALENDAR

AVAILABILITY OF DEFENSE WITNESSES

Smith, et al. v. Micron Electronics, Inc.

Case No. CIV 01-0244-S-BLW

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
5 Jay Ellis David McCauley Anthony Robinson Gabe Weske	6 Anthony Robinson	7 Jay Ellis David McCauley Anthony Robinson Gabe Weske	8 Mark Auchampach Jay Ellis David McCauley Anthony Robinson	9 Mark Auchampach Mark Cox Jay Ellis David McCauley Anthony Robinson Gabe Weske
12 Mark Cox David Groeger Harry Heisler David McCauley Anthony Robinson Gabe Weske	13 Mark Auchampach Mark Cox David Groeger Harry Heisler Anthony Robinson	14 Mark Cox Jay Ellis David Groeger Harry Heisler David McCauley Anthony Robinson	15 Mark Auchampach Mark Cox Jay Ellis David Groeger Harry Heisler David McCauley Anthony Robinson	16 Mark Auchampach Mark Cox Jay Ellis David Groeger Harry Heisler David McCauley Anthony Robinson Gabe Weske
19 Mark Auchampach Jay Ellis Harry Heisler Gabe Weske	20 Mark Auchampach Jay Ellis David Groeger Harry Heisler	21 Mark Auchampach Jay Ellis David Groeger Harry Heisler Gabe Weske	22 Jay Ellis David Groeger Harry Heisler Gabe Weske	23 DEFENSE COUNSEL UNAVAILABLE FOR DEPOSITIONS
26 Mark Auchampach Mark Cox Jay Ellis David Groeger Harry Heisler Anthony Robinson Gabe Weske Farrah Zumhoff	27 Mark Auchampach Mark Cox Jay Ellis David Groeger Harry Heisler Anthony Robinson Farrah Zumhoff	28 Mark Cox Jay Ellis Harry Heisler Anthony Robinson Gabe Weske Farrah Zumhoff	29 Jay Ellis David Groeger Harry Heisler Anthony Robinson Gabe Weske Farrah Zumhoff	30 Jay Ellis David Groeger Harry Heisler Anthony Robinson Gabe Weske Farrah Zumhoff

EXHIBIT C



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April 6, 2004

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William H. Thomas
Daniel E. Williams
Christopher F. Huntley
Huntley Park LLP
250 South 5th, Suite 660
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Boise, Idaho 83701

Re: *Smith, et al. v. Micron Electronics, Inc.*

Gentlemen:

We are in receipt of Dan's letter of April 5, 2004 regarding deposition-scheduling issues, and spoke with Dan yesterday afternoon on this topic.

We agree to Dan's proposal to stipulate to extend the discovery deadline for class certification issues beyond May 3, 2004, but agree to extend the deadline solely for the taking of depositions.

Here are responses to the issues we discussed with Dan yesterday:

- As discussed with Glenys a couple weeks ago, our information indicates that only two of the individuals you seek to depose are currently residing out of state: Harry Heisler (Fairfax County, Virginia) and Joel Kocher.¹
- With regard to the Plaintiffs and Claimants we seek to depose, our information appears to indicate that the following individuals reside out of state:
 - 17 Minnesota deponents (including 2 Plaintiffs);

¹ We are checking with our client regarding your April 5, 2004 letter and request for Mr. Kocher's deposition and will respond separately.



William H. Thomas
Daniel E. Williams
Christopher F. Huntley
April 2, 2004
Page 2

- William Brinkerhoff (Bismark, ND);
- Robert McCarter (Cockeysville, MD); and
- Plaintiff Jeffrey Clevenger (El Cajon, CA).

Of these individuals, we are willing to conduct two of these by telephone: (1) William Brinkerhoff (Bismark, ND), and (2) Robert McCarter (Cockeysville, MD). The agreement to conduct these depositions by telephone assumes the conditions we discussed with Dan yesterday (including that both counsel participate by phone only).

Because of the number of depositions in Minnesota, we do not stipulate to take these by phone and will also need to take Plaintiff Jeffrey Clevenger's deposition in person.

- As for duration of the depositions, we assume that it will take 2-3 hours for the deposition of each Claimant who has not previously been deposed, 1-2 hours for those Claimants who have already been deposed, 1/2 day for each Plaintiff, and a full day for Tawni Weaver's deposition. Please understand that these are estimates only, which we are providing as a courtesy at your request, and that there may also be particular issues that require more time.
- At Dan's request, we have reviewed our list of proposed deponents and agree for the time being to remove the following 11 individuals: Laura Anderson, Hector Dimas, Alan Garcia, Deborah E. Harris, Randy P. Howell, Carren Mattson, Charles K. McGuire, Deborah Monahan, Susan Pierce, Tracy Scott Wells and Nanette S. Westenhaver. However, our agreement to retract these 11 people must be without prejudice to change our determination and request their deposition later.

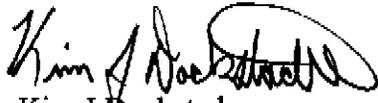
Based upon our reduced list of deponents, we are enclosing a proposed schedule for all of our remaining depositions. As set out in our Friday, April 2, 2004 letter, if you can get us preferred dates by Wednesday, April 7, 2004, we can modify our proposed schedule accordingly. But, for anyone we do not receive proposed dates for, we will proceed with issuing depositions notices on Thursday, April 8, 2004 in accordance with our attached schedule.



William H. Thomas
Daniel E. Williams
Christopher F. Huntley
April 2, 2004
Page 3

If you have any questions, please do not hesitate to contact me.

Very truly yours,


Kim J Dockstader

Enclosure

APRIL/MAY CALENDAR

DEPOSITION SCHEDULE FOR PLAINTIFFS' WITNESSES

Smith, et al. v. Micron Electronics, Inc.
Case No. CIV 01-0244-S-BLW

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
<p style="text-align: right;">12</p> <p>APRIL</p> <p><u>9:00 – 12:00</u> Michael Angus Destiny Baxtr</p> <p><u>2:00 – 5:00</u> Stefanie Bistline David Blair</p>	<p style="text-align: right;">13</p> <p><u>9:00 – 12:00</u> Carlisle Burnette Kip DeRouen</p> <p><u>2:00 – 5:00</u> Eric Fillmore Tim Hedding</p>	<p style="text-align: right;">14</p> <p><u>9:00 – 12:00</u> Kevin Henderson Jared Hodges</p> <p><u>2:00 – 5:00</u> Dale Hope</p>	<p style="text-align: right;">15</p> <p><u>9:00 – 12:00</u> Don Hopkins Mike Larshied</p> <p><u>2:00 – 5:00</u> Stephen Miller Chris Papero</p>	<p style="text-align: right;">16</p> <p><u>9:00 – 12:00</u> M. Schoonveld Carly Seader</p>
<p style="text-align: right;">19</p> <p><u>9:00 – 12:00</u> Cheryl Stumph</p> <p><u>2:00 – 5:00</u> Kurt Swanson</p>	<p style="text-align: right;">20</p> <p><i>San Diego, CA</i></p> <p><u>1:00 – 5:00</u> Jeff Clevenger</p>	<p style="text-align: right;">21</p>	<p style="text-align: right;">22</p> <p><u>9:00 – 5:00</u> Tawni Weaver</p>	<p style="text-align: right;">23</p> <p>DEFENSE COUNSEL UNAVAILABLE FOR DEPOSITIONS</p>
<p style="text-align: right;">26</p>	<p style="text-align: right;">27</p>	<p style="text-align: right;">28</p> <p><i>Minneapolis, MN</i></p> <p><u>9:00 – 12:00</u> Kevin Aubert</p> <p><u>1:00 – 3:00</u> D. Christensen</p> <p><u>3:30 – 5:30</u> Ricky Ferrara</p>	<p style="text-align: right;">29</p> <p><i>Minneapolis, MN</i></p> <p><u>9:00 – 12:00</u> Julie Gardner</p> <p><u>1:00 – 3:00</u> Matt Hagman</p> <p><u>3:30 – 5:30</u> David Kestner</p>	<p style="text-align: right;">30</p> <p><i>Minneapolis, MN</i></p> <p><u>9:00 – 12:00</u> K. Kluessendorf</p> <p><u>1:00 – 3:00</u> Eric Little</p> <p><u>3:30 – 5:30</u> Marvin Masteller</p>
<p style="text-align: right;">3</p> <p>MAY</p> <p><u>9:00 – 12:00</u> Rose Thies</p> <p><u>2:00 – 5:00</u> David Thom</p> <p><i>Minneapolis, MN</i></p> <p><u>9:00 – 12:00</u> Mark McKenzie</p> <p><u>1:00 – 3:00</u> Ginger North</p> <p><u>3:30 – 5:30</u> Tom Robertson</p>	<p style="text-align: right;">4</p> <p><u>9:00 – 12:00</u> Chris Wing</p> <p><u>2:00 – 5:00</u> C. Woodworth</p> <p><i>Minneapolis, MN</i></p> <p><u>9:00 – 12:00</u> Michelle Saari</p> <p><u>1:00 – 3:00</u> Matt Severson</p> <p><u>3:30 – 5:30</u> P. Worthington</p>	<p style="text-align: right;">5</p> <p><u>9:00 – 11:00</u> Jeff Parrish</p> <p><i>Minneapolis, MN</i></p> <p><u>9:00 – 1:00</u> Marilyn Craig</p> <p><u>2:00 – 6:00</u> J. Hladun</p>	<p style="text-align: right;">6</p> <p><u>9:00 – 1:00</u> Mike Hinckley</p> <p><u>2:00 – 6:00</u> Tim Kaufmann</p>	<p style="text-align: right;">7</p> <p><u>9:00 – 5:00</u> Kim Smith</p> <p><u>9:00 – 12:00</u> W. Brinckerhoff <i>Via telephone</i></p> <p><u>2:00 – 5:00</u> Robert McCarter <i>Via telephone</i></p>



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Name:	Fax No.	Company/Firm	Phone No.
TO: Christopher P. Huntley William H. Thomas Daniel E. Williams	345-7894	Huntley, Park Thomas, Burkett, Olsen & Williams, LLP	345-7800

Name:	Sender's Direct Dial:	Sender's Direct Email:
FROM: Gregory C. Tollefson	(208) 387-4211	gctollefson@stoel.com

Client: Micron Electronics, Inc.	Matter: Smith
----------------------------------	---------------

DATE: April 6, 2004

No. of Pages (including this cover): 5

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COMMENTS:

Please see attached correspondence of today's date.

EXHIBIT D

Kim J Dockstader, ISB No. 4207
Gregory C. Tollefson, ISB No. 5643
STOEL RIVES LLP
101 South Capitol Boulevard, Suite 1900
Boise, ID 83702-5958
Telephone: (208) 389-9000
Fax Number: (208) 389-9040
kjdockstader@stoel.com
gctollefson@stoel.com

Attorneys for Defendant Micron Electronics, Inc.

IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF IDAHO

KIMBERLEY SMITH, MICHAEL B.
HINCKLEY, JACQUELINE T.
HLADUN, MARILYN J. CRAIG,
JEFFERY P. CLEVINGER, and
TIMOTHY C. KAUFMANN, individually
and on behalf of those similarly situated,

Plaintiffs,

v.

MICRON ELECTRONICS, INC., a
Minnesota corporation,

Defendant.

Case No. CIV 01-0244-S-BLW

**DEFENDANT MICRON ELECTRONICS,
INC.'S NOTICE OF DEPOSITION
DUCES TECUM OF PLAINTIFFS AND
SELECTED CLASS MEMBERS**

**TO: PLAINTIFFS AND SELECTED CLASS MEMBERS
c/o Their Counsel of Record William H. Thomas and Daniel Williams,
Huntley Park LLP**

PLEASE TAKE NOTICE that Defendant Micron Electronics, Inc., pursuant to Rules 26 and 30 of the Federal Rules of Civil Procedure, will take the following depositions at set forth below. Each deposition will continue from time to time thereafter until completed. The location

**DEFENDANT MICRON ELECTRONICS, INC.'S NOTICE OF DEPOSITION
DUCES TECUM OF PLAINTIFFS AND SELECTED CLASS MEMBERS – 1**

of each deposition is also stated below. The deposition will be taken before a court reporter who is authorized to administer an oath. The deposition will be recorded both by audio and stenographic means. Micron Electronics, Inc. hereby reserves the right to record the deposition by videotape.

The deponent is required to produce the following documents, records or other materials at said deposition: **All items and documents identified on Exhibit A attached hereto.**

Carlisle Burnette	April 13, 2004	9:00 a.m.	Stoel Rives, LLP 101 S. Capitol Blvd., Suite 1900 Boise, Idaho 83702
Eric Fillmore	April 13, 2004	2:00 p.m.	Stoel Rives, LLP 101 S. Capitol Blvd., Suite 1900 Boise, Idaho 83702
Rory Kip DeRouen	April 13, 2004	2:00 p.m.	Stoel Rives, LLP 101 S. Capitol Blvd., Suite 1900 Boise, Idaho 83702
Kevin Henderson	April 14, 2004	9:00 a.m.	Stoel Rives, LLP 101 S. Capitol Blvd., Suite 1900 Boise, Idaho 83702
Dale Hope	April 14, 2004	9:00 a.m.	Stoel Rives, LLP 101 S. Capitol Blvd., Suite 1900 Boise, Idaho 83702
Jared Hodges	April 14, 2004	2:00 p.m.	Stoel Rives, LLP 101 S. Capitol Blvd., Suite 1900 Boise, Idaho 83702
Michael Schoonveld	April 16, 2004	9:00 a.m.	Stoel Rives, LLP 101 S. Capitol Blvd., Suite 1900 Boise, Idaho 83702
Stefanie Bistline	April 16, 2004	2:00 p.m.	Stoel Rives, LLP 101 S. Capitol Blvd., Suite 1900 Boise, Idaho 83702
Cheryl Stumph	April 19, 2004	9:00 a.m.	Stoel Rives, LLP 101 S. Capitol Blvd., Suite 1900 Boise, Idaho 83702
Kurt Swanson	April 19, 2004	2:00 p.m.	Stoel Rives, LLP 101 S. Capitol Blvd., Suite 1900 Boise, Idaho 83702

**DEFENDANT MICRON ELECTRONICS, INC.'S NOTICE OF DEPOSITION
DUCES TECUM OF PLAINTIFFS AND SELECTED CLASS MEMBERS - 2**

Michael Angus	April 20, 2004	9:00 a.m.	Stoel Rives, LLP 101 S. Capitol Blvd., Suite 1900 Boise, Idaho 83702
Kevin Aubert	April 28, 2004	9:00 a.m.	Halleland Lewis 220 South Sixth Street, Suite 600 Minneapolis, Minnesota 55402
Dennis Christensen	April 28, 2004	1:00 p.m.	Halleland Lewis 220 South Sixth Street, Suite 600 Minneapolis, Minnesota 55402
Ricky Ferrara	April 28, 2004	3:30 p.m.	Halleland Lewis 220 South Sixth Street, Suite 600 Minneapolis, Minnesota 55402
Julie Gardner	April 29, 2004	9:00 a.m.	Halleland Lewis 220 South Sixth Street, Suite 600 Minneapolis, Minnesota 55402
Matt Hagman	April 29, 2004	1:00 p.m.	Halleland Lewis 220 South Sixth Street, Suite 600 Minneapolis, Minnesota 55402
David Kestner	April 29, 2004	3:30 p.m.	Halleland Lewis 220 South Sixth Street, Suite 600 Minneapolis, Minnesota 55402
Kurt Kluessendorf	April 30, 2004	9:00 a.m.	Halleland Lewis 220 South Sixth Street, Suite 600 Minneapolis, Minnesota 55402
Eric Little	April 30, 2004	1:00 p.m.	Halleland Lewis 220 South Sixth Street, Suite 600 Minneapolis, Minnesota 55402
Marvin Masteller	April 30, 2004	3:30 p.m.	Halleland Lewis 220 South Sixth Street, Suite 600 Minneapolis, Minnesota 55402
Rose Thies	May 3, 2004	9:00 a.m.	Stoel Rives, LLP 101 S. Capitol Blvd., Suite 1900 Boise, Idaho 83702
David Thom	May 3, 2004	2:00 p.m.	Stoel Rives, LLP 101 S. Capitol Blvd., Suite 1900 Boise, Idaho 83702
Mark McKenzie	May 3, 2004	9:00 a.m.	Halleland Lewis 220 South Sixth Street, Suite 600 Minneapolis, Minnesota 55402
Ginger North	May 3, 2004	1:00 p.m.	Halleland Lewis 220 South Sixth Street, Suite 600 Minneapolis, Minnesota 55402

**DEFENDANT MICRON ELECTRONICS, INC.'S NOTICE OF DEPOSITION
DUCES TECUM OF PLAINTIFFS AND SELECTED CLASS MEMBERS – 3**

Thomas Robertson	May 3, 2004	3:30 p.m.	Halleland Lewis 220 South Sixth Street, Suite 600 Minneapolis, Minnesota 55402
Christopher Wing	May 4, 2004	9:00 a.m.	Stoel Rives, LLP 101 S. Capitol Blvd., Suite 1900 Boise, Idaho 83702
Camille Woodworth	May 4, 2004	2:00 p.m.	Stoel Rives, LLP 101 S. Capitol Blvd., Suite 1900 Boise, Idaho 83702
Michelle Saari	May 4, 2004	9:00 a.m.	Halleland Lewis 220 South Sixth Street, Suite 600 Minneapolis, Minnesota 55402
Matthew Severson	May 4, 2004	1:00 p.m.	Halleland Lewis 220 South Sixth Street, Suite 600 Minneapolis, Minnesota 55402
Patrick Worthington	May 3, 2004	3:30 p.m.	Halleland Lewis 220 South Sixth Street, Suite 600 Minneapolis, Minnesota 55402
Jeff Parrish	May 5, 2004	9:00 a.m.	Stoel Rives, LLP 101 S. Capitol Blvd., Suite 1900 Boise, Idaho 83702
Marilyn Craig	May 5, 2004	9:00 a.m.	Halleland Lewis 220 South Sixth Street, Suite 600 Minneapolis, Minnesota 55402
Jacqueline Hladun	May 5, 2004	2:00 p.m.	Halleland Lewis 220 South Sixth Street, Suite 600 Minneapolis, Minnesota 55402
Michael Hinckley	May 6, 2004	9:00 a.m.	Stoel Rives, LLP 101 S. Capitol Blvd., Suite 1900 Boise, Idaho 83702
Timothy Kaufmann	May 6, 2004	2:00 p.m.	Stoel Rives, LLP 101 S. Capitol Blvd., Suite 1900 Boise, Idaho 83702
Kimberley Smith	May 7, 2004	9:00 a.m.	Stoel Rives, LLP 101 S. Capitol Blvd., Suite 1900 Boise, Idaho 83702
William Brinckerhoff	May 7, 2004	9:00 a.m.	Bismark, North Dakota <i>Telephonic Deposition</i> <i>(Deponent location to be determined)</i>

**DEFENDANT MICRON ELECTRONICS, INC.'S NOTICE OF DEPOSITION
DUCES TECUM OF PLAINTIFFS AND SELECTED CLASS MEMBERS – 4**

Robert McCarter	May 7, 2004	2:00 p.m.	Cockeysville, Maryland <i>Telephonic Deposition</i> <i>(Deponent location to be determined)</i>
Carly Seader	May 13, 2004	9:00 a.m.	Stoel Rives, LLP 101 S. Capitol Blvd., Suite 1900 Boise, Idaho 83702
Tim Hedding	May 13, 2004	2:00 p.m.	Stoel Rives, LLP 101 S. Capitol Blvd., Suite 1900 Boise, Idaho 83702
Jeff Clevenger	May 14, 2004	9:00 a.m.	Grand Rapids, Michigan (Location to be determined)

DATED this 8th day of April, 2004.

STOEL RIVES LLP

By: 

Kim J Dockstader

Attorneys for Defendant
Micron Electronics, Inc.

EXHIBIT A

DEFINITIONS

The following terms have the following meanings when used herein:

1. **"Document"** includes, but is not limited to, every form of recording upon any tangible thing, any form of communication or representation, including letters, words, pictures, sounds or symbols, or combinations thereof, whether recorded by handwriting, printing, photostatic or photographic means, magnetic impulse, tape, computer disk, CD ROM, optical disk, or any other form of data storage, data compilation, or mechanical or electronic recording, and all other tangible things which come within the meaning of "writing" contained in Rule 1001 of the Federal Rules of Evidence, or within the meaning of "document" or "tangible thing" contained in Rule 34 of the Federal Rules of Civil Procedure. Every draft or non-identical copy of a document is a separate document as that term is used herein, such as, but not limited to, copies containing notations, insertions, corrections, marginal notes or any other variations.
2. **"Electronic Data"** means the original and any non-identical copies of any computer program, software, database, file, e-mail, source code or operating system, including ASCII files, word processing documents, spreadsheets, charts, graphs and emails, whether active, deleted or fragmented.
3. **"Electronic Media"** includes any magnetic or other storage device used to record, store, or maintain Electronic Data, including, but not limited to, computer hard disks, floppy disks, CD ROM, magnetic tapes, microfiche, punched cards and computer chips.
4. **"Electronic Memory"** means any disk, minidisk, floppy disk, hard drive, disk drive, CD ROM, optical disk, memory card, personal computer, network, magnetic tape, back up, or any other means of storing, recording or retaining information generated or input to or on a computer.
5. **"Micron"** means Micron Electronics, Inc., a Delaware corporation, and its subsidiaries and divisions.
6. If any responsive documents are withheld from production based on privilege or work product or a legitimate common law or statutory confidentiality right, prepare and include with your production a log identifying each withheld document and specifying (1) the author(s) of the documents, (2) the identity of all persons designated as addressees or otherwise receiving copies, (3) the date of the document, (4) the subject matter of the document, (5) the type of document (e.g., memorandum, letter, pamphlet, report, etc.), and (6) the basis for withholding the document.

DOCUMENTS TO BE PRODUCED

You are required to produce the following documents:

1. All documents created or obtained by you which mention this lawsuit, including, but not limited to, documents on Electronic Media or in Electronic Memory. This request does not seek production of any privileged communications with your attorney or your attorney's law firm which relate to this lawsuit, but does seek any documents between you and others involved in this lawsuit.
2. All documents created or obtained by you which evidence, refer or relate to communications with other people about this lawsuit, including other persons involved in this lawsuit and including, but not limited to, documents on Electronic Media or in Electronic Memory. Again, this request does not seek production of any privileged communications with your attorney or your attorney's law firm which relate to this lawsuit.

3. All documents created or obtained by you which evidence, refer or relate to your work attendance and/or hours worked for the last three years of your period of employment with Micron, including, but not limited to, documents on Electronic Media or in Electronic Memory.
4. All of your payroll and/or compensation records from Micron for the last three years of your period of employment with Micron or since June 1, 1998, whichever is longer, including, but not limited to, documents on Electronic Media or in Electronic Memory.
5. All diaries, journals, personal record notebooks, personal notes, emails, electronic journals, on-line journals, web sites, or any other written or electronic life or personal history documentation kept for the last three years of your period of employment with Micron or since June 1, 1998, whichever is longer. This request includes, but is not limited to, documents on Electronic Media or in Electronic Memory.
6. Any other records or documents, including, but not limited to, documents on Electronic Media or in Electronic Memory which would support the allegation in the complaint that Defendant "unlawfully induced" you "to work off the clock."
7. Any other records or documents, including, but not limited to, documents on Electronic Media or in Electronic Memory which would support the allegation in the complaint that Defendant "implicitly and explicitly allowed managers to alter timecards."
8. Any other records or documents, including, but not limited to, documents on Electronic Media or in Electronic Memory which would support the allegations in the complaint that Defendant "failed to calculate overtime pay correctly."
9. Any other records or documents, including, but not limited to, documents on Electronic Media or in Electronic Memory which would support the allegations in the complaint that Defendant "discouraged employees from keeping accurate time records."
10. Any other records or documents, including, but not limited to, documents on Electronic Media or in Electronic Memory which would support the allegations in the complaint that Defendant "suppressed wage claims."
11. All of your curriculum vitae or resumes, whether in draft or final form, from the past five years, including documents on Electronic Media or in Electronic Memory.
12. All documents, including, but not limited to, documents on Electronic Media or in Electronic Memory, which evidence, refer or relate to other lawsuits or administrative proceedings in which you have been involved as a party, whether as a plaintiff, defendant, complainant, claimant, respondent or otherwise.
13. All documents responsive to Micron Electronics, Inc.'s Interrogatories or Requests for Production which have not been previously produced.
14. All state and federal income tax returns for each and every year you were employed by Micron.
15. All W-2s for each and every year you were employed by Micron.

**DEFENDANT MICRON ELECTRONICS, INC.'S NOTICE OF DEPOSITION
DUCES TECUM OF PLAINTIFFS AND SELECTED CLASS MEMBERS - 7**

CERTIFICATE OF SERVICE

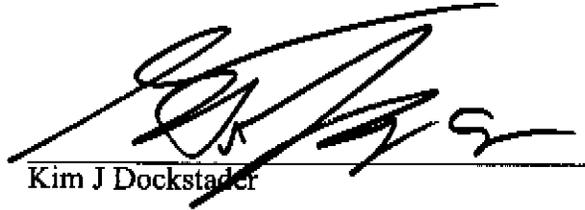
I HEREBY CERTIFY that on this 8th day of April, 2004, I caused to be served a true copy of the foregoing **DEFENDANT MICRON ELECTRONICS, INC.'S NOTICE OF DEPOSITION DUCES TECUM OF PLAINTIFFS AND SELECTED CLASS MEMBERS** by the method indicated below, and addressed to each of the following:

William H. Thomas
Daniel E. Williams
Christopher F. Huntley
HUNTLEY PARK LLP
250 South 5th Street
P.O. Box 2188
Boise, Idaho 83701-2188

U.S. Mail
 Hand Delivery
 Overnight Delivery
 Facsimile

Diane Cromwell
Tucker & Associates
605 West Fort Street
Boise, Idaho 83701

By Hand Delivery
 By Facsimile
 By U.S. Mail
 By Overnight Delivery



Kim J Dockstader



101 S. Capitol Blvd., Suite 1900
Boise, Idaho 83702
phone 208-389-9000
fax 208-389-9040
www.stoel.com

	Name:	Fax No.	Company/Firm	Phone No.
TO:	William H. Thomas Daniel E. Williams Christopher P. Huntley	345-7894	HUNTLEY PARK	345-7800

	Name:	Sender's Direct Dial:	Sender's Direct Email:
FROM:	Kim J Dockstader	(208) 387-4287	kjdockstader@stoel.com

Client: Micron Electronics, Inc.	Matter: Kimberley Smith
---	--------------------------------

DATE: April 8, 2004

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COMMENTS: Please see attached.

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FAX:208 389 9040

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 fax 208.389.9040
 www.stoel.com

Name:	Fax No.	Company/Firm	Phone No.
TO: William H. Thomas Dantel E. Williams Christopher P. Huntley	345-7894	HUNTLEY PARK	345-7800

Name:	Sender's Direct Dial:	Sender's Direct Email:
FROM: Kim J Dockstader	(208) 387-4287	kjdockstader@stoel.com

Client: Micron Electronics, Inc.	Matter: Kimberley Smith
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DATE: April 8, 2004

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COMMENTS: Please see attached.

EXHIBIT E



101 S. Capitol Boulevard, Suite 1900
Boise, Idaho 83702
main 208.389.9000
fax 208.389.9040
www.stoel.com

April 29, 2004

KIM J DOCKSTADER
Direct (208) 387-4287
kjdockstader@stoel.com

VIA FACSIMILE AND MAIL (208) 345-7894

William H. Thomas
Daniel E. Williams
Christopher F. Huntley
Huntley Park LLP
250 South 5th, Suite 660
P.O. Box 2188
Boise, Idaho 83701

Re: *Smith, et al. v. Micron Electronics, Inc.*

Gentlemen:

We have been very accommodating in trying to schedule and reschedule the class members' depositions on dates that are convenient for them. Although we have been successful in rescheduling several of the class members' depositions, there are quite a few depositions we have noticed that have not been rescheduled.

The following is a list of class members whose depositions were noticed but not taken due to the deponent not appearing, the deponent claiming they were unavailable, or the deponent not responding to Plaintiffs' counsel's attempts to contact them:

1. Michael Schoonveld (deposition was noticed for April 16th at 9:00 a.m.)
2. Cheryl Stumph (deposition was noticed for April 19th at 9:00 a.m.)
3. Kurt Swanson (deposition was noticed for April 19th at 2:00 p.m.)
4. Michael Angus (deposition was noticed for April 20th at 9:00 a.m.)
5. Dennis Christensen (deposition was noticed for April 28th at 1:00 p.m.)
6. Julie Gardner (deposition was noticed for April 29th at 9:00 a.m.)



William H. Thomas
Daniel E. Williams
Christopher F. Huntley
April 29, 2004
Page 2

7. Eric Little (deposition was noticed for April 30th at 3:30 p.m.)

We will be filing a motion to strike the consents of these claimants and to exclude them from the conditionally certified class. If you have any information or reasons why they should not be stricken, we must receive such information by Friday, May 7, 2004.

In addition, there are two depositions which have been noticed for the first week of May which we have recently been asked to reschedule due to the deponents purported unavailability:

1. Rose Thies (deposition was noticed for May 3rd at 9:00 a.m.)
2. Thomas Robertson (deposition was noticed for May 3rd at 3:30 p.m.)

These two depositions need to be rescheduled for the week of May 10-14, 2004. Please immediately provide us with available dates during this time period. If dates are not provided by the close of business on Tuesday, May 4th, we will file a motion to strike the consents of these claimants and to exclude them from the conditionally certified class.

Kimberley Smith's deposition has been noticed for May 7, 2004 at 9:00 a.m. since April 8, 2004. We were told yesterday that there is no one available to defend Ms. Smith's deposition. We would ask that someone else from your law firm be made available to defend this deposition. Ms. Smith claims that she is unavailable for deposition from May 9, 2004 through May 21, 2004, so her deposition must proceed on the date it is currently scheduled. We will not withdraw her deposition notice.

Very truly yours,

[Dictated but not read to avoid delay]

Kim J Dockstader

EXHIBIT F



101 S. Capitol Boulevard, Suite 1900
Boise, Idaho 83702
main 208.389.9000
fax 208.389.9040
www.stoel.com

May 4, 2004

KIM J DOCKSTADER
Direct (208) 387-4287
kjdockstader@stoel.com

VIA FACSIMILE AND MAIL (208) 345-7894

Daniel E. Williams
Huntley Park LLP
250 South 5th, Suite 660
P.O. Box 2188
Boise, Idaho 83701

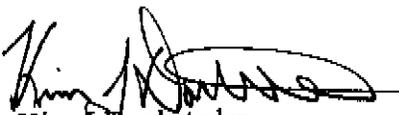
Re: *Smith, et al. v. Micron Electronics, Inc.*

Dear Dan:

It is our understanding, based on prior telephone conversations with your office, that Jeff Parrish has decided to opt-out of the lawsuit. Accordingly, based on this information we vacated his deposition previously set for tomorrow.

Unless we hear from you immediately to the contrary, we will assume that you will not oppose a motion seeking to strike his consent and dismiss him from the action.

Very truly yours,


Kim J Dockstader
KJD:pzw

Oregon
Washington
California
Utah
Idaho

EXHIBIT G



311 S. Capitol Boulevard, Suite 1900
Boise, Idaho 83702
main 208.389.9000
fax 208.389.9040
www.stoel.com

KIM J DOCKSTADER
Direct (208) 387-4287
kjdockstader@stoel.com

May 5, 2004

VIA FACSIMILE AND MAIL (208) 345-7894

William H. Thomas
Daniel E. Williams
Christopher F. Huntley
Huntley Park LLP
250 South 5th, Suite 660
P.O. Box 2188
Boise, Idaho 83701

Re: *Smith, et al. v. Micron Electronics, Inc.*

Gentlemen:

This letter is to follow up on deposition scheduling issues, including our correspondence of April 29, 2004.

As of this date, we have not heard back from you as to whether or not you have any information or reasons why the seven claimants listed in our April 29, 2004 letter should not be stricken or dismissed for failure to cooperate in the setting of their depositions or appearing at their depositions. As previously discussed, we will file a motion to strike or dismiss the consents of these claimants and to exclude them from the conditionally certified class if we do not receive such information by this Friday, May 7, 2004.

We have received updated information from your office concerning these seven claimants, but nothing (with the exception of Michael Angus) that would prevent them from being dismissed from the lawsuit. The following is updated information concerning the claimants:

1. Michael Schoonveld – You have informed us that Mr. Schoonveld has opted out and, therefore, we will be filing an unopposed motion to dismiss him from the lawsuit.
2. Cheryl Stumph – You have informed us recently that Ms. Stumph has been located and contacted concerning deposition scheduling. Please let us know the status of her deposition availability as soon as possible. The location of her deposition is the subject of separate correspondence between Dan and me.

Oregon
Washington
California
Utah
Idaho



William H. Thomas
Daniel E. Williams
Christopher F. Huntley
May 5, 2004
Page 2

3. Kurt Swanson – You have informed us recently that Mr. Swanson has been located and contacted concerning deposition scheduling. Please let us know the status of his deposition availability as soon as possible.
4. Michael Angus – As of this morning, Michael Angus has been scheduled to be deposed on Monday, May 10, 2004. We will be sending you an amended notice of deposition.
5. Dennis Christensen – You informed us recently that you have not been able to contact Mr. Christensen to reschedule his deposition. Mr. Christensen did not show up for his noticed deposition on April 28, 2004. Due to his failure to cooperate by not appearing for his deposition and not providing available dates for rescheduling, we will be filing an unopposed motion to dismiss Mr. Christensen from the lawsuit.
6. Julie Gardner – Ms. Gardner's deposition was noticed for April 29, 2004 in Minnesota. Because your office apparently was unable to contact Ms. Gardner, we agreed to reschedule for another time during the six days of Minnesota depositions occurring April 28-May 5, 2004. On April 30th, your office informed us that you would try to schedule Ms. Gardner for May 3 or 4, 2004. We were later informed on May 3rd that she was not available either of those days due to her work schedule. Your office has had plenty of time to contact Ms. Gardner and her work schedule is not an excuse for not being available for deposition. Therefore, we will be filing an unopposed motion to dismiss Ms. Gardner from the lawsuit.
7. Eric Little – You have informed us that Mr. Little has opted out of the lawsuit and, therefore, we will be filing an unopposed motion to dismiss him from the lawsuit.

Our letter of April 29th also requested available deposition dates for Rose Thies and Thomas Robertson, since your office only recently indicated they were not available on the dates the depositions were originally noticed.

On April 30, 2004, Chris Huntley provided us with a two-page document, which he professed to be Ms. Thies' "medical history." Mr. Huntley's letter provided no explanation as to whether Ms. Thies is mentally competent to be deposed. If she is competent, we need immediate written confirmation and we will take her deposition on the offered date of May 13, 2004 at 9:00 a.m.



William H. Thomas
Daniel E. Williams
Christopher F. Huntley
May 5, 2004
Page 3

We requested available deposition dates for Mr. Robertson for the week of May 10-14, 2004. We were told by your office that he is not available until the week of May 17th. Although this date is beyond the dates we specified, we may reschedule this deposition. Please be aware that if we are required to re-notice Mr. Robertson's deposition, Plaintiffs must pay Defendant's costs associated with a second trip to Minnesota. Mr. Robertson's deposition was noticed for May 3, 2004 on April 8, 2004. Your office had plenty of time to inform us if he was unavailable but did not do so until April 28th, after Greg had already left for the Minnesota depositions.

Mark McKenzie's deposition was noticed for May 3, 2004 in Minnesota. He did not appear. Please indicate whether or not you have any information or reasons why Mr. McKenzie should not be stricken from the lawsuit. If we do not receive such information by May 7th, we will file a motion to strike his consent and to exclude him from the conditionally certified class.

Camille Woodworth's deposition was noticed for Tuesday, May 4, 2004. Since your office was unable to contact Ms. Woodworth, we agreed to reschedule her deposition for May 5, 2004 at 2:00 p.m. On April 30th, your office informed us that you wanted to reschedule her deposition for the week of May 10th, because she was not available on May 5th due to her work schedule. Ms. Woodworth has been scheduled for deposition since April 8, 2004. Your office has had plenty of time to contact Ms. Woodworth and her work schedule is not an excuse for not being available for deposition. Therefore, if Ms. Woodworth does not appear for her deposition this afternoon, we will be filing an unopposed motion to dismiss Ms. Woodworth from the lawsuit.

We understand that you would like to reschedule the deposition of Tony Robinson, which was noticed for April 27, 2004 at 9:00 a.m. We will agree to reschedule the deposition, although it will be at Plaintiffs' costs. Mr. Robinson was at our office on April 27, 2004 at 9:00 a.m. for his deposition. We were not informed until shortly before the scheduled deposition that Plaintiffs' counsel had a "dental emergency" and would not be able to take Mr. Robinson's deposition. Associated costs and witness fees must be paid prior to re-scheduling Mr. Robinson's deposition.

Yesterday, we confirmed with your office that Vicki Quantie is available for deposition on May 12, 2004 at 2:00 p.m. Please provide us with a deposition notice as soon as possible.



William H. Thomas
Daniel E. Williams
Christopher F. Huntley
May 5, 2004
Page 4

On a final note, please confirm in writing that the following claimants have opted out of the lawsuit: Michael Schoonveld, Kevin Aubert, Kurt Kluessendorf, Eric Little, Ginger North, Matthew Severson, Patrick Worthington and Jeff Parrish. Please call if you have any questions concerning any of the above-mentioned issues.

Very truly yours,


Kim J. Dockstader

EXHIBIT H

WILLIAM H. THOMAS (ISB 3154)
 DANIEL E. WILLIAMS (ISB 3920)
 CHRISTOPHER F. HUNTLEY (ISB 6056)
 HUNTLEY PARK, LLP
 250 S. Fifth St., Suite 660
 P.O. Box 2188
 Boise, ID 83701-2188
 Telephone: (208) 345-7800
 Fax: (208) 345-7894
wmthomas@idahoatty.com
danw@idahoatty.com
chuntley@idahoatty.com

Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF IDAHO**

KIMBERLEY SMITH, MICHAEL)
 B. HINCKLEY, JACQUELINE T.)
 HLADUN, MARILYN J. CRAIG,)
 JEFFERY P. CLEVINGER, and)
 TIMOTHY C. KAUFMANN,)
 individually and on behalf)
 of those similarly situated,)

Case No. CIV 01-0244-S

**PLAINTIFFS' RESPONSES TO
 DEFENDANT MICRON ELECTRONICS,
 INC.'S THIRD REQUESTS FOR
 ADMISSION**

Plaintiffs,)

vs.)

MICRON ELECTRONICS, INC., a)
 Minnesota corporation,)

Defendant.)

Plaintiffs hereby respond to Defendant's Third Set of Requests for Admission as follows:

**PLAINTIFFS' RESPONSES TO DEFENDANT MICRON ELECTRONICS,
 INC.'S THIRD SET OF REQUESTS FOR ADMISSION - 1**

REQUEST FOR ADMISSION NO. 390: Admit that on June 27, 1999, Kevin Aubert was promoted to Account Executive, at which time he became an exempt employee of Micron Electronics.

RESPONSE: Plaintiffs do not have sufficient knowledge to enable them to admit or deny this interrogatory, despite reasonable inquiry, and therefore deny this Request for Admission.

REQUEST FOR ADMISSION NO. 391: Admit that from June 27, 1999 through August 11, 2000, Kevin Aubert was not employed with Micron Electronics as an inside sales representative.

RESPONSE: Plaintiffs do not have sufficient knowledge to enable them to admit or deny this interrogatory, despite reasonable inquiry, and therefore deny this Request for Admission.

REQUEST FOR ADMISSION NO. 392: Admit that John Caprai was employed with Micron Electronics as an Engineer.

RESPONSE: Plaintiffs do not have sufficient knowledge to enable them to admit or deny this interrogatory, despite reasonable inquiry, and therefore deny this Request for Admission.

REQUEST FOR ADMISSION NO. 393: Admit that John Caprai was not an inside sales representative during the course of his employment with Micron Electronics.

RESPONSE: Plaintiffs do not have sufficient knowledge to enable them to admit or deny this interrogatory, despite reasonable inquiry, and therefore deny this Request for Admission.

**PLAINTIFFS' RESPONSES TO DEFENDANT MICRON ELECTRONICS,
INC.'S THIRD SET OF REQUESTS FOR ADMISSION - 2**

REQUEST FOR ADMISSION NO. 394: Admit that Heather Elliott was employed with Micron Electronics as a Customer Service Representative.

RESPONSE: Admit.

REQUEST FOR ADMISSION NO. 395: Admit that Heather Elliott was not an inside sales representative during the course of her employment with Micron Electronics.

RESPONSE: Admit.

REQUEST FOR ADMISSION NO. 396: Admit that Beverly J. Hillard was employed with Micron Electronics as a Customer Service Representative.

RESPONSE: Plaintiffs do not have sufficient knowledge to enable them to admit or deny this interrogatory, despite reasonable inquiry, and therefore deny this Request for Admission.

REQUEST FOR ADMISSION NO. 397: Admit that Beverly J. Hillard was not an inside sales representative during the course of her employment with Micron Electronics.

RESPONSE: Plaintiffs do not have sufficient knowledge to enable them to admit or deny this interrogatory, despite reasonable inquiry, and therefore deny this Request for Admission.

REQUEST FOR ADMISSION NO. 398: Admit that Carren Mattson was employed with Micron Electronics as a Sales Assistant.

RESPONSE:

REQUEST FOR ADMISSION NO. 399: Admit that Carren Mattson was not an inside sales representative during the course of her employment with Micron Electronics.

**PLAINTIFFS' RESPONSES TO DEFENDANT MICRON ELECTRONICS,
INC.'S THIRD SET OF REQUESTS FOR ADMISSION - 3**

RESPONSE: Plaintiffs do not have sufficient knowledge to enable them to admit or deny this interrogatory, despite reasonable inquiry, and therefore deny this Request for Admission.

REQUEST FOR ADMISSION NO. 400: Admit that Carly D. Seader was employed with Micron Electronics as a Customer Service Representative.

RESPONSE: Admit.

REQUEST FOR ADMISSION NO. 401: Admit that Carly D. Seader was not an inside sales representative during the course of her employment with Micron Electronics.

RESPONSE: Admit.

REQUEST FOR ADMISSION NO. 402: Admit that on May 9, 1999, Nanci Uli was promoted to Account Executive, at which time she became an exempt employee of Micron Electronics.

RESPONSE: Plaintiffs do not have sufficient knowledge to enable them to admit or deny this interrogatory, despite reasonable inquiry, and therefore deny this Request for Admission. Plaintiffs admit that at some point Nanci Uli was promoted to Account Executive.

REQUEST FOR ADMISSION NO. 403: Admit that from May 9, 1999 through May 31, 2001, Nanci Uli was not employed with Micron Electronics as an inside sales representative.

RESPONSE: Plaintiffs do not have sufficient knowledge to enable them to admit or deny this interrogatory, despite reasonable inquiry, and therefore deny this Request for Admission. Plaintiffs admit that at some point Nanci Uli was no longer a sales representative.

REQUEST FOR ADMISSION NO. 404: Admit that Patrick H. Worthington was employed with Micron Electronics in Corporate Sales.

RESPONSE: Plaintiffs do not have sufficient knowledge to enable them to admit or deny this interrogatory, despite reasonable inquiry, and therefore deny this Request for Admission.

REQUEST FOR ADMISSION NO. 405: Admit that Patrick H. Worthington was not an inside sales representative during the course of his employment with Micron Electronics.

RESPONSE: Plaintiffs do not have sufficient knowledge to enable them to admit or deny this interrogatory, despite reasonable inquiry, and therefore deny this Request for Admission.

REQUEST FOR ADMISSION NO. 406: Admit that from its inception in November, 1998 through May 31, 2001, at least seventy-five percent of MicronPC, Inc.'s annual dollar volume of sales of goods was not for resale.

RESPONSE: Plaintiffs object to Request for Admission No. 406 on the grounds that it is vague, ambiguous, overly burdensome and does not identify with the requisite specificity the matter upon which an admission is requested. Without waiving these objections, Plaintiffs state that they do not have sufficient knowledge to enable them to admit or deny this interrogatory, despite reasonable inquiry, and therefore deny this Request for Admission.

REQUEST FOR ADMISSION NO. 407: Admit that from its inception in November, 1998 through May 31, 2001, MicronPC, Inc. was recognized as being in retail sales in the computer industry.

RESPONSE: Plaintiffs object to Request for Admission No. 407 on the grounds that it is vague, ambiguous, overly burdensome and does not identify with the requisite specificity the matter upon which an admission is requested. Without waiving these objections, Plaintiffs state that they do not have sufficient knowledge to enable them to admit or deny this interrogatory, despite reasonable inquiry, and therefore deny this Request for Admission.

REQUEST FOR ADMISSION NO. 408: Admit that from its inception in November, 1998 through May 31, 2001, at least seventy-five percent of Micron Commercial Computer Systems, Inc.'s annual dollar volume of sales of goods was not for resale.

RESPONSE: Plaintiffs object to Request for Admission No. 408 on the grounds that it is vague, ambiguous, overly burdensome and does not identify with the requisite specificity the matter upon which an admission is requested. Without waiving these objections, Plaintiffs state that they do not have sufficient knowledge to enable them to admit or deny this interrogatory, despite reasonable inquiry, and therefore deny this Request for Admission.

REQUEST FOR ADMISSION NO. 409: Admit that from its inception in November, 1998 through May 31, 2001, Micron Commercial Computer Systems, Inc. was recognized as being in retail sales in the computer industry.

RESPONSE: Plaintiffs object to Request for Admission No. 409 on the grounds that it is vague, ambiguous, overly burdensome and does not identify with the requisite specificity the matter upon which an admission is requested. Without waiving these objections, Plaintiffs state that they do not have sufficient knowledge to enable them to admit or deny this interrogatory, despite reasonable inquiry, and therefore deny this Request for Admission.

REQUEST FOR ADMISSION NO. 410: Admit that from its inception in November, 1998 through May 31, 2001, at least seventy-five percent of Micron Government Computer Systems, Inc.'s annual dollar volume of sales of goods was not for resale.

RESPONSE: Plaintiffs object to Request for Admission No. 410 on the grounds that it is vague, ambiguous, overly burdensome and does not identify with the requisite specificity the matter upon which an admission is requested. Without waiving these objections, Plaintiffs state that they do not have sufficient knowledge to enable them to admit or deny this interrogatory, despite reasonable inquiry, and therefore deny this Request for Admission.

REQUEST FOR ADMISSION NO. 411: Admit that from its inception in November, 1998 through May 31, 2001, Micron Government Computer Systems, Inc. was recognized as being in retail sales in the computer industry.

RESPONSE: Plaintiffs object to Request for Admission No. 411 on the grounds that it is vague, ambiguous, overly burdensome and does not identify with the requisite specificity the matter upon which an admission is requested. Without waiving these objections, Plaintiffs state that they do not have sufficient knowledge to enable them to admit or deny this interrogatory, despite reasonable inquiry, and therefore deny this Request for Admission.

REQUEST FOR ADMISSION NO. 412: Admit that from June 1, 1998 through May 31, 2001, at least seventy-five percent of Micron Electronics, Inc.'s annual dollar volume of sales of goods was not for resale.

RESPONSE: Plaintiffs object to Request for Admission No. 412 on the grounds that it is vague, ambiguous, overly burdensome and does not identify with the requisite specificity the matter upon which an admission is requested. Without waiving these objections, Plaintiffs

**PLAINTIFFS' RESPONSES TO DEFENDANT MICRON ELECTRONICS,
INC.'S THIRD SET OF REQUESTS FOR ADMISSION - 7**

state that they do not have sufficient knowledge to enable them to admit or deny this interrogatory, despite reasonable inquiry, and therefore deny this Request for Admission.

REQUEST FOR ADMISSION NO. 413: Admit that from June 1, 1998 through May 31, 2001, Micron Electronics, Inc. was recognized as being in retail sales in the computer industry.

RESPONSE: Plaintiffs object to Request for Admission No. 413 on the grounds that it is vague, ambiguous, overly burdensome and does not identify with the requisite specificity the matter upon which an admission is requested. Without waiving these objections, Plaintiffs state that they do not have sufficient knowledge to enable them to admit or deny this interrogatory, despite reasonable inquiry, and therefore deny this Request for Admission.

REQUEST FOR ADMISSION NO. 414: Admit that each current class member who was an inside sales representative paid compensation based on hourly wages plus commissions was employed by a "retail or service establishment," as that term is used in 29 U.S.C. § 207.

RESPONSE: Denied.

REQUEST FOR ADMISSION NO. 415: Admit that each current class member was employed by a "retail or service establishment," as that term is used in 29 U.S.C. § 207.

RESPONSE: Denied.

REQUEST FOR ADMISSION NO. 416: Admit that from its inception in November, 1998 through May 31, 2001, MicronPC, Inc. was a "retail or service establishment," as that term is used in 29 U.S.C. § 207.

RESPONSE: Denied.

REQUEST FOR ADMISSION NO. 417: Admit that from its inception in November, 1998 through May 31, 2001, Micron Commercial Computer Systems, Inc. was a "retail or service establishment," as that term is used in 29 U.S.C. § 207.

RESPONSE: Denied.

REQUEST FOR ADMISSION NO. 418: Admit that from its inception in November, 1998 through May 31, 2001, Micron Government Computer Systems, Inc. was a "retail or service establishment," as that term is used in 29 U.S.C. § 207.

RESPONSE: Denied.

REQUEST FOR ADMISSION NO. 419: Admit that between June 1, 1998 and May 31, 2001, Micron Electronics, Inc. was a "retail or service establishment," as that term is used in 29 U.S.C. § 207.

RESPONSE: Denied.

REQUEST FOR ADMISSION NO. 420: Admit that between June 1, 1998 and May 31, 2001, each class member's regular rate of pay exceeded one and one-half times the applicable minimum wage for every hour worked in a workweek in which overtime hours were worked.

RESPONSE: Plaintiffs state that they do not have sufficient knowledge to enable them to admit or deny this interrogatory, despite reasonable inquiry, and therefore deny this Request for Admission.

REQUEST FOR ADMISSION NO. 421: Admit that between June 1, 1998 and May 31, 2001, each class member (who was an inside sales representative paid compensation based on hourly wages plus commissions) had a regular rate of pay which exceeded one and

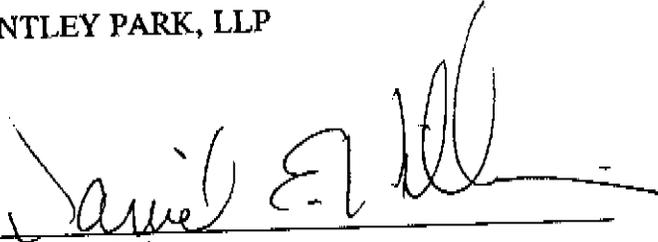
**PLAINTIFFS' RESPONSES TO DEFENDANT MICRON ELECTRONICS,
INC.'S THIRD SET OF REQUESTS FOR ADMISSION - 9**

one-half times the applicable minimum wage for every hour worked in a workweek in which overtime hours were worked.

RESPONSE: Plaintiffs object to Request for Admission No. 386 on the grounds that it is vague, ambiguous, overly burdensome and does not identify with the requisite specificity the matter upon which an admission is requested. Without waiving these objections, Plaintiffs state that they do not have sufficient knowledge to enable them to admit or deny this interrogatory, despite reasonable inquiry, and therefore deny this Request for Admission.

DATED this 20th day of May, 2004.

HUNTLEY PARK, LLP



Daniel E. Williams
Attorneys for Plaintiffs

EXHIBIT I

ORIGINAL

U.S. COURTS

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

REC'D FILED
CAMERON S. BURKE
CLERK IDAHO

KIMBERLEY SMITH and MICHAEL)
B. HINKLEY, individually and on behalf)
of those similarly situated,)

Plaintiff,)

vs.)

MICRON ELECTRONICS, INC., a)
Minnesota corporation,)

Defendant.)

Case No. CIV 01-0244-S-EJL

CONSENT TO JOIN
COLLECTIVE ACTION

By my signature below, I represent to the Court that I was employed by Micron Electronics, Inc., as an inside sales representative between June 1, 1998 and May 31, 2001, and I hereby give my consent to the filing and prosecution of an action under the Fair Labor Standards Act in my name and on my behalf by the above-named Plaintiffs and designate the named Plaintiffs as my agents to make decisions on my behalf concerning the litigation, the method and manner of conducting this litigation, the entering of an agreement with counsel for the named Plaintiffs concerning attorney fees and costs, and all other matters pertaining to this lawsuit.

John Caprai
YOU MUST SIGN YOUR NAME HERE

John Caprai
Print your name

1327 N Rutledge Ave
Street address

Meridian Id 83642
City, State, Zip

208-884-1909
Telephone number

6-27-01
Date

900 E Karcher Road Engineering
Location where you worked

Product Development Engineer
Job Title(s) after June 1, 1998

9-96-3-2001
Dates of Employment with Micron

208-395-5336
Alternate telephone contact number

CONSENT TO JOIN COLLECTIVE ACTION

41

EXHIBIT J

ORIGINAL

U.S. COURTS
01 SEP 20 AM 9:36
REC'D
CAMERON S. BURKE
CLERK
FILED
IDAHO

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

KIMBERLEY SMITH and MICHAEL)
B. HINKLEY, individually and on behalf)
of those similarly situated,)

Plaintiff,)

vs.)

MICRON ELECTRONICS, INC., a)
Minnesota corporation,)

Defendant.)

Case No. CIV 01-0244-S-EJL

CONSENT TO JOIN
COLLECTIVE ACTION

By my signature below, I represent to the Court that I was employed by Micron Electronics, Inc., as an inside sales representative between June 1, 1998 and May 31, 2001, and I hereby give my consent to the filing and prosecution of an action under the Fair Labor Standards Act in my name and on my behalf by the above-named Plaintiffs and designate the named Plaintiffs as my agents to make decisions on my behalf concerning the litigation, the method and manner of conducting this litigation, the entering of an agreement with counsel for the named Plaintiffs concerning attorney fees and costs, and all other matters pertaining to this lawsuit.

Carren Mattson
YOU MUST SIGN YOUR NAME HERE

9/17/01
Date

Carren Mattson
Print your name

Meridian
Location where you worked

2262 N Deulin Dr.
Street address

Sales Asst.
Job Title(s) after June 1, 1998

Meridian, ID 83642
City, State, Zip

12/01 - 7/01
Dates of Employment with Micron

884-8386
Telephone number

Alternate telephone contact number

CONSENT TO JOIN COLLECTIVE ACTION

EXHIBIT K

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

KIMBERLEY SMITH, et al.)
)
 Plaintiff,)
 vs.)
)
 MICRON ELECTRONICS, INC., a)
 Minnesota corporation,)
)
 Defendant.)
)

Case No. CIV 01-0244-S-BLW

CONSENT TO JOIN
COLLECTIVE ACTION

By my signature below, I represent to the Court that I was employed by Micron Electronics, Inc., or one of its subsidiaries, as an inside sales representative between June 1, 1998 and May 31, 2001, and I hereby give my consent to the filing and prosecution of an action under the Fair Labor Standards Act in my name and on my behalf by the above-named Plaintiffs and designate the named Plaintiffs as my agents to make decisions on my behalf concerning the litigation, the method and manner of conducting this litigation, the entering of an agreement with counsel for the named Plaintiffs concerning attorney fees and costs, and all other matters pertaining to this lawsuit.

Beverly Hilliard
YOU MUST SIGN YOUR NAME HERE

01/15/03
Date

Beverly J. Hilliard
Print your name

Meridian + Nampa
Location where you worked

3700 Shipman Circle
Street address

Customer Service Rep / Sales
Job Title(s) after June 1, 1998

Nampa, ID 83686
City, State, Zip

August 1997 - May 2001
Dates of Employment with Micron

(208) 230-2584
Telephone number

(208) 409-2585
Alternate telephone contact number

CONSENT TO JOIN COLLECTIVE ACTION

EXHIBIT L

RECEIVED
JUL 21 2003
DANIEL E. WILLIAMS

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

KIMBERLEY SMITH, et al.)
)
 Plaintiff,)
 vs.)
)
 MICRON ELECTRONICS, INC., a)
 Minnesota corporation,)
)
 Defendant.)

Case No. CIV 01-0244-S-BLW

CONSENT TO JOIN
COLLECTIVE ACTION

By my signature below, I represent to the Court that I was employed by Micron Electronics, Inc., or one of its subsidiaries, as an inside sales representative between June 1, 1998 and May 31, 2001, and I hereby give my consent to the filing and prosecution of an action under the Fair Labor Standards Act in my name and on my behalf by the above-named Plaintiffs and designate the named Plaintiffs as my agents to make decisions on my behalf concerning the litigation, the method and manner of conducting this litigation, the entering of an agreement with counsel for the named Plaintiffs concerning attorney fees and costs, and all other matters pertaining to this lawsuit.

Robert S Wood
YOU MUST SIGN YOUR NAME HERE

7-17-03

Date

Robert S. Wood
Print your name

Micron Elec. SALT LAKE CITY RETAIL STORE
Location where you worked SALT LAKE CITY, UT

66238 Avenida Suenos
Street address

INSIDE SALES REPRESENTATIVE
Job Title(s) after June 1, 1998

Desert Hot Springs, CA 92240
City, State, Zip

October 1995 - January 1999
Dates of Employment with Micron

760-288-0322
Telephone number

760-836-3106 (work#) - Do NOT CALL this # unless unable to reach me at my primary #.

CONSENT TO JOIN COLLECTIVE ACTION

EXHIBIT M

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

KIMBERLEY SMITH, et al.)
)
Plaintiff,)
vs.)
)
MICRON ELECTRONICS, INC., a)
Minnesota corporation,)
)
Defendant.)
_____)

Case No. CIV 01-0244-S-BLW

CONSENT TO JOIN
COLLECTIVE ACTION

By my signature below, I represent to the Court that I was employed by Micron Electronics, Inc., or one of its subsidiaries, as an inside sales representative between June 1, 1998 and May 31, 2001, and I hereby give my consent to the filing and prosecution of an action under the Fair Labor Standards Act in my name and on my behalf by the above-named Plaintiffs and designate the named Plaintiffs as my agents to make decisions on my behalf concerning the litigation, the method and manner of conducting this litigation, the entering of an agreement with counsel for the named Plaintiffs concerning attorney fees and costs, and all other matters pertaining to this lawsuit.

Ryan Ball
YOU MUST SIGN YOUR NAME HERE

1-6-03
Date

RYAN BALL
Print your name

BOISE RETAIL STORE
Location where you worked

1157 N. PENRITH AVE.
Street address

SALES REPRESENTATIVE
Job Title(s) after June 1, 1998

MERIDIAN, ID 83642
City, State, Zip

OCT. OF 1999 TO JULY OF 2001
Dates of Employment with Micron

208-288-1534
Telephone number

208-713-0050
Alternate telephone contact number

CONSENT TO JOIN COLLECTIVE ACTION

EXHIBIT N

DEC 27 2002

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

KIMBERLEY SMITH, et al.)
)
 Plaintiff,)
 vs.)
)
 MICRON ELECTRONICS, INC., a)
 Minnesota corporation,)
)
 Defendant.)

Case No. CIV 01-0244-S-BLW

CONSENT TO JOIN
COLLECTIVE ACTION

By my signature below, I represent to the Court that I was employed by Micron Electronics, Inc., or one of its subsidiaries, as an inside sales representative between June 1, 1998 and May 31, 2001, and I hereby give my consent to the filing and prosecution of an action under the Fair Labor Standards Act in my name and on my behalf by the above-named Plaintiffs and designate the named Plaintiffs as my agents to make decisions on my behalf concerning the litigation, the method and manner of conducting this litigation, the entering of an agreement with counsel for the named Plaintiffs concerning attorney fees and costs, and all other matters pertaining to this lawsuit.

Heidi Michelle Brady
 YOU MUST SIGN YOUR NAME HERE
Heidi Michelle Brady
 Print your name
1379 W Kenai Ct
 Street address
Eagle Id 83616
 City, State, Zip
208-938-1115
 Telephone number

12-16-02
 Date
Bose/ Emerald Micron pc.com
 Location where you worked
Customer Service Representative
 Job Title(s) after June 1, 1998
Feb. '99- Oct. '00
 Dates of Employment with Micron
208-713-1115
 Alternate telephone contact number

CONSENT TO JOIN COLLECTIVE ACTION