

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

JOHN WARD, JR.

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C. A. NO. 08-4022
JURY TRIAL DEMANDED

v.

CISCO SYSTEMS, INC.

**NOTICE OF WITHDRAWAL OF CISCO SYSTEMS, INC.’S MOTION TO COMPEL
RESPONSES FROM NONPARTY ROBERT CHIAVIELLO, JR.**

TO THE HONORABLE COURT:

On October 1, 2009, Defendant Cisco Systems, Inc. (“Cisco”) inadvertently filed in this Court a Motion to Compel relating to nonparty Robert Chiaviello. That Motion should have been filed in the United States District Court for the Northern District of Texas, as that was the court from which the deposition subpoena issued.

Accordingly, Cisco withdraws its Motion to Compel from consideration by this Court. The undersigned counsel for Cisco apologizes for any inconvenience.

Respectfully submitted,

JACKSON WALKER L.L.P.

By: /s/ Kurt Schwarz

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ATTORNEYS FOR DEFENDANT
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CERTIFICATE OF SERVICE

This is to certify that on this 2nd day of October, 2009, a true and correct copy of the foregoing was served via electronic mail upon:

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In addition, this motion was served on counsel for Robert Chiaviello by certified mail, return receipt requested, and electronic mail:

Joni Collins
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/s/ Kurt Schwarz

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