Ex. E

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Marcie Long

From: Patricia Peden [ppeden@pedenlawfirm.com]
Sent: Wednesday, September 09, 2009 12:34 PM
To: Parker, Crystal
Cc: Nick Patton; Marcie Long
Subject: Re: Meet and confer regarding privilege issues in Ward v. Cisco

Crystal:
I have. We will be producing three of the four documents you asked about. For the fourth document, the client expressly states that the email is attorney-client privileged. As you know the privilege is held by the client, and Johnny Ward cannot waive the client's claimed privilege. Therefore, we cannot produce that document.

While we are taking up discovery issues in the Ward case, there are a number of outstanding discovery issues for which Cisco promised us a response weeks ago. You and Mary Lou were going to get back to me about the host of issues relating to Ward's Second Set of RFPs. Please provide me with Cisco's positions as soon as possible. I anticipate that we will need to file a moition to compel. Given the short discovery deadline in the Ward case, I need to have someone working on our motion to compel while we are in the Albritton trial. Thus, I need your responses in the next few days. These issues have been outstanding for a very long time.

We have asked several times for deposition dates for Tannalien and Timmeny. Please provide use with dates as soon as possible. If the discovery deadline in the Ward case is not extended by Court Order this week, we will have no choice but to start noticing up depositions to go forward right after the Albritton trial concludes.

On the privilege issues: you owe us a response to Cisco's position about identifying commulnicaitons with Baker Botts on Cisco's privilege log.

Finally, you promised to produce Privilege Doc. #14 weeks ago, but we still have not received it. Or at least, I don't think we have. Can you please produce that document as well as all other documents that Cisco is withholding from Ward that Judge Bush admitted in the Albritton case, finding that they were not privileged. We will need those documents ASAP so we can move ahead with depositions in the Ward case.

I would appreciate hearing from you about these issues this week as we will all be consumed with the Albritton trial the next two weeks.

Thanks,
Patty

From: "Parker, Crystal" <cparker@jw.com>
To: Patricia L. Peden <ppeden@pedenlawfirm.com>
Cc: "Babcock, Chip" <cbabcock@jw.com>; "Moran, David" <dmoran@jw.com>; "Flynn-DuPart, Mary Lou" <mdupart@jw.com>; "Adair, Kathy" <kadair@jw.com>; nickpatton@texarkanalaw.com
Sent: Tuesday, September 8, 2009 8:34:40 PM
Subject: RE: Meet and confer regarding privilege issues in Ward v. Cisco

Patty,

Have you had a chance to speak with Johnny about this? Please let us know.

Thank you,

Crystal J. Parker
Jackson Walker L.L.P.
713-752-4217

From: Patricia L. Peden [mailto:ppeden@pedenlawfirm.com]
Sent: Tuesday, August 25, 2009 2:49 AM
To: Parker, Crystal
Cc: Babcock, Chip; Moran, David; Flynn-DuPart, Mary Lou; Adair, Kathy; nickpatton@texarkanalaw.com
Subject: RE: Meet and confer regarding privilege issues in Ward v. Cisco

Crystal:
My client is unavailable to discuss until Friday. I will talk to him then and get back to you as soon as possible.
Thanks,
Patty

From: Parker, Crystal [mailto:cparker@jw.com]
Sent: Monday, August 24, 2009 12:31 PM
To: Patricia L. Peden
Cc: Babcock, Chip; Moran, David; Flynn-DuPart, Mary Lou; Adair, Kathy
Subject: Meet and confer regarding privilege issues in Ward v. Cisco

Patty,

In our call today you asked that I provide you with a list of documents from Ward's privilege log that we believe may be subject to waiver. Based on the descriptions, it looks like the following apply: 1, 3-5, 8-17, 15-23. Please let us know your position after you have had a chance to confer with your client.

Thank you,

Crystal J. Parker
Jackson Walker L.L.P.
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