

EX. J

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

ERIC M. ALBRITTON)
)
v.)
) C.A. NO. 6:08-CV-00089
CISCO SYSTEMS, INC.,)
RICK FRENKEL, MALLUN YEN &)
JOHN NOH)

ORAL AND VIDEOTAPED DEPOSITION OF
SHELLEY MOORE
NOVEMBER 3, 2008
VOLUME I

ORAL AND VIDEOTAPED DEPOSITION OF SHELLEY MOORE,
produced as a witness at the instance of the Defendant,
and duly sworn, was taken in the above-styled and
numbered cause on the 3rd day of November, 2008, from
3:59 p.m. to 4:27 p.m., before April R. Eichelberger,
CSR in and for the State of Texas, reported by machine
shorthand, at the United States District Court for the
Eastern District of Texas, 211 West Ferguson Street in
the City Tyler and the State of Texas, pursuant to the
Federal Rules of Civil Procedure and the provisions
stated on the record or attached hereto.

1 change the dates, you were leery about doing that, I
2 take it?

3 A. That is correct.

4 Q. And frankly, even more leery after you talked
5 to Cindy?

6 A. That is correct.

7 Q. Okay. And did you refer Ms. Mathis on to
8 anybody else or just say, "Sorry, I can't -- we can't
9 grant your request here"?

10 A. I gave her two options, as I do most
11 customers. I told her she could either file a motion
12 with the court and let the judge decide on the filing
13 date, or if she was not satisfied with that, she could
14 go ahead and contact the clerk of court, but I would not
15 change the filing date.

16 Q. Okay. And what did -- what did Ms. Mathis say
17 in response to that?

18 A. "I'll call Tyler."

19 Q. Okay. She said, "I'll call Tyler." And when
20 you said "Contact the clerk of court," were you
21 referring to any particular person?

22 A. Specifically David Maland.

23 Q. Okay. Did you ever speak to Amie Mathis about
24 that afterwards, after --

25 A. No, sir.