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SAME-DAY DELIVERY TRANSCRIPT

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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

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ERIC ALBRITTON ] CASE NO. 6:08CV89  
VS. ] 9 AM, SEPTEMBER 16, 2009  
CISCO SYSTEMS, INC. ] TYLER, TEXAS  
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REPORTER'S SAME-DAY DELIVERY TRANSCRIPT OF JURY TRIAL

VOLUME 3 OF ^ 000, PAGES 1 THROUGH ^ 000

TABLE OF CONTENTS, ^ 000

THE HONORABLE RICHARD SCHELL, U.S. DISTRICT JUDGE, PRESIDING

PROCEEDINGS REPORTED USING COMPUTERIZED STENOTYPE,  
TRANSCRIPT PRODUCED USING COMPUTER-AIDED TRANSCRIPTION.

## SAME-DAY DELIVERY TRANSCRIPT

769

04:28PM 1 KNOW WHO IT WAS WHO WAS WRITING THIS ABOUT US, BECAUSE AFTER IT  
04:28PM 2 WAS WRITTEN IT WAS OUT THERE AND REMAINED POSTED FOR QUITE SOME  
04:28PM 3 TIME AND IS STILL OUT THERE. SO WE TALKED ABOUT IT DURING THE  
04:28PM 4 TIME PERIOD THAT WE WERE TRYING TO FIND OUT WHO WAS DOING THIS  
04:28PM 5 TO US, YOU KNOW, I DON'T WANT TO SAY EVERY DAY, BUT, YOU KNOW,  
04:28PM 6 HAVE YOU FOUND ANYTHING OUT? HAVE YOU FOUND ANYTHING OUT? AND  
04:28PM 7 THERE WERE OTHER PEOPLE IN THE COUNTRY WHO WERE LOOKING FOR  
04:28PM 8 MR. FRENKEL. SO WE TALKED ABOUT THAT.

04:28PM 9 Q. WAS HE UPSET?

04:28PM 10 A. ABSOLUTELY.

04:28PM 11 Q. TELL THE JURY ABOUT THAT. THEY'RE ENTITLED TO KNOW  
04:28PM 12 WHAT YOU KNOW ABOUT THAT.

04:28PM 13 A. WHAT I KNOW IS, YOU KNOW, WE TALKED ABOUT LOSING SLEEP;  
04:28PM 14 THAT IT WAS DISTURBING THAT, YOU KNOW, WE HAD CLIENTS CALLING  
04:28PM 15 US AND OTHER LAWYERS COMMENTING ON THIS; AND HE WAS--WE WERE  
04:28PM 16 ANGRY. I MEAN THAT--NO DOUBT ABOUT IT.

04:28PM 17 Q. WAS IT A DISTRACTION FROM WORK?

04:29PM 18 A. WORRYING ABOUT IT, I GUESS, WAS A DISTRACTION. BUT I  
04:29PM 19 THINK ERIC AND I ARE KIND OF ALIKE. YOU WORK HARDER WHEN YOU  
04:29PM 20 KIND OF FOCUS YOUR ATTENTION ON SOMETHING ELSE. I DON'T KNOW  
04:29PM 21 THAT THAT'S UNUSUAL FOR ANYBODY WHO'S, YOU KNOW, IN A STRESSFUL  
04:29PM 22 SITUATION. THEY THROW THEMSELVES INTO THEIR WORK. I THINK I  
04:29PM 23 DID THAT, I THINK ERIC DID THAT.

04:29PM 24 Q. DO YOU KNOW WHETHER OR NOT ERIC ALBRITTON WAS  
04:29PM 25 EMBARRASSED ABOUT THIS?

SAME-DAY DELIVERY TRANSCRIPT