

# EXHIBIT “D”

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

ERIC M. ALBRITTON

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v.

C. A. NO. 6:08-CV-00089

CISCO SYSTEMS, INC.,  
RICK FRENKEL, MALLUN YEN &  
JOHN NOH

**DECLARATION OF JOHN NOH**

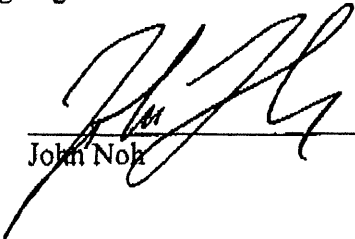
I, John Noh, declare and state as follows:

I make this declaration in support of John Noh's Motion to Dismiss for Lack of Personal Jurisdiction. I have personal knowledge of the following facts and, if called as a witness, could and would testify thereto.

1. At all material times to this lawsuit, I have resided in and worked in the state of California.
2. I do not own property in Texas and do not maintain any bank accounts in Texas.
3. I have only traveled to Texas three to five times during my lifetime, during which I only stayed in Texas for a matter of days. None of those trips were in any way related to this lawsuit and were for non-business purposes.
4. I did not write the articles referenced in Plaintiff's Original Complaint (the October 17, 2007 and October 18, 2007 articles on the Patent Troll Tracker) (the "Articles"). I also did not edit or review the Articles prior to their publication on the Patent Troll Tracker. I did not forward the Articles or otherwise circulate them to any other person.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 12, 2008.




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John Noh