

Exhibit B

Chandler, Mark 11/18/2008 9:11:00 AM

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1 IN THE UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF TEXAS
3 TYLER DIVISION
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5 ERIC M. ALBRITTON,
6 Plaintiff,
7 vs. No. 6:08-CV-00089
8 (1) CISCO SYSTEMS, INC.,
9 (2) RICHARD FRENKEL, (3) MALLUN
10 YEN and (4) JOHN NOH,
11 Defendants.
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15 CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER
16
17 DEPOSITION OF MARK CHANDLER
18
19 Tuesday, November 18, 2008
20
21 SHEILA CHASE & ASSOCIATES
22 REPORTING FOR:
23 West Court Reporting Services
24 221 Main Street, Suite 1250
25 San Francisco, California 94105
Phone: (415) 321-2300
Fax: (415) 618-0743
Reported by:
JANIS JENNINGS, CSR, CRP, CLR
CRS-100282-022

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2 APPEARANCES:
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16 For the Defendant Cisco Systems, Inc., and
17 the Deponent:
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Also Present:
Richard Frenkel
Gary Brewer, Videographer

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6 Deposition of MARK CHANDLER, taken on
7 behalf of the Plaintiff, at 1350 North First
8 Street, San Jose, California, beginning at
9 9:11 A.M. on Tuesday, November 18, 2008, before
10 JANIS L. JENNINGS, Certified Shorthand Reporter
11 No. 3942, CRP, CLR
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1 MARK CHANDLER,
2 The deponent herein, was sworn and
3 testified as follows:
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5 EXAMINATION
6 BY MR. PATTON:
7 Q. State your name, please.
8 A. Mark Chandler.
9 Q. Mr. Chandler, would you give me your
10 residence address, telephone number, and your
11 business address and telephone number.
12 A. Yes. My business address and telephone
13 number are 300 East Tasman Drive, San Jose,
14 California, 95134; Building 10, and my telephone
15 number is 408-527-0238. My residence address is
16 762 Hamilton Avenue, Palo Alto, California, 94301.
17 Telephone 650-868-8633.
18 Q. Okay. Where were you born and raised?
19 A. I was born in Boston, Massachusetts, and
20 I was raised in a suburb of Boston called Belmont.
21 Q. Okay. What's your educational background?
22 A. Beginning when?
23 Q. Out of high school.
24 A. I attended Harvard College and graduated
25 in 1978 and Stanford Law School and graduated in

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1 through July 9th, 1996, when StrataCom was acquired
2 by Cisco, and I've been employed with Cisco ever
3 since.
4 Q. When you first got in the situation
5 where Cisco was your employer, were you in the
6 legal department?
7 A. Yes, I was.
8 Q. Okay. And what duties did you have at
9 that time?
10 A. The initial duties were to -- there were
11 two duties in the first few months after the
12 acquisition: The first was to be responsible for
13 supporting the portion of our sales force that was
14 selling products to telephone companies to service
15 providers in the United States; and also to prepare
16 a negotiating guide for negotiating contracts with
17 customers like that.
18 Q. Okay. You have risen to the point where
19 you're now the general counsel?
20 A. I'm the general counsel of Cisco, yes.
21 Q. For Cisco. And when did you become
22 general counsel?
23 A. I became general counsel in October of
24 2001.
25 Q. Okay. Did you work any during the

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1 Q. What did you say?
2 A. About the posting?
3 Q. Yes.
4 A. Well, I've certainly stated that the
5 posting -- that I believed the posting was -- had --
6 you know, was essentially a truthful posting. There
7 was some poor judgment in some parts of it.
8 Q. Truthful but poor judgment. Like telling
9 someone they're ugly? Is that what you're saying?
10 That's truthful but probably not good judgement.
11 MR. BABCOCK: We've got to get your
12 personal life out of this.
13 MR. PATTON: That's exactly right. I
14 don't know any other way to do it.
15 (Whereupon, Chandler Exhibit 1 was marked
16 for identification.)
17 BY MR. PATTON:
18 Q. Exhibit 1, Mr. Chandler, is a blog
19 posting.
20 Do you recognize it?
21 A. Yes.
22 Q. Okay. The first sentence in the main
23 part, in that first sentence, "I got a couple of
24 anonymous emails." This is the Troll Tracker
25 talking; right?

19

1 A. Uh-huh.
2 Q. Did you know who he was?
3 A. Who who was?
4 Q. The Troll Tracker.
5 A. No. Not at the time this was posted or --
6 no, I did not.
7 Q. When did you find out?
8 A. End of January or early February of this
9 year.
10 Q. When he outed himself or before he outed
11 himself?
12 A. Very shortly before he revealed --
13 Q. Give me the circumstances --
14 A. -- his identity.
15 Q. Sorry. Give me the circumstances of that.
16 How did you find out? When, where, who and why.
17 A. I don't remember precisely so I could try
18 to speculate, but I don't remember precisely who
19 told me.
20 Q. You've got to be kidding me.
21 A. No, I'm not.
22 MR. McWILLIAMS: Objection.
23 MR. BABCOCK: Same objection.
24 THE WITNESS: I mean --
25 MR. BABCOCK: Don't answer questions like