

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

ERIC M. ALBRITTON,
Plaintiff,

vs.

No. 6:08-CV-00089

(1) CISCO SYSTEMS, INC.,
(2) RICHARD FRENKEL, (3) MALLUN
YEN and (4) JOHN NOH,

Defendants.

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

DEPOSITION OF MARK CHANDLER

Tuesday, November 18, 2008

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CRS-100282-022

1 tendering that to counsel.

2 And finally, I would say on the record
3 that how you all do your discovery is of course your
4 own business, but in reviewing yesterday's testimony
5 it seemed to me that there are a number of issues
6 that were asked about repetitively that had no
7 bearing on this suit. And we noticed that at
8 the end of yesterday you've used up 10 hours
9 and 52 minutes of your allotted 20 hours for
10 depositions. We have 8 depositions scheduled in the
11 next few days for your witnesses, and one of ours,
12 and you only have 9 hours and 8 minutes left of your
13 allotted 20 hours.

14 And this is just to tell you, obviously
15 you do what you want in terms of how you ask
16 questions, but we are not going to waive the 20-hour
17 limit per side. And if it comes to the end of the
18 day and you're out of time, we're not going to
19 agree to extend it because we limited our discovery
20 in accordance with the order of the judge and
21 streamlined our depositions to take that limit into
22 account.

23 So with that, I am done.

24 / / /

25 / / /

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

1 Q. I'm going to just finish up, if we could,
2 Mr. Chandler, so I want to ask you a series of
3 questions. It will go very quickly, I promise you.

4 You're the general counsel of Cisco?

5 A. Yes.

6 Q. You are Ms. Yen's superior?

7 A. Yes.

8 Q. She works under you?

9 A. I'm her supervisor, yes.

10 Q. And Mr. Frenkel works under her?

11 A. Did.

12 Q. Did. Did work under her.

13 Miss Yen suggested that the ESN matter
14 might be newsworthy?

15 A. In the email you showed me I think she
16 asked whether there was a news story there in her
17 email.

18 Q. "Maybe a news story here."

19 A. Yeah.

20 Q. She did do that?

21 A. Yes.

22 Q. All right. Tanielian is your government
23 affairs person? Cisco's?

24 A. Was one.

25 Q. Was one. And his job was to interface