

SAME-DAY DELIVERY TRANSCRIPT

529

1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF TEXAS
3 SHERMAN DIVISION
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6 ERIC ALBRITTON] CASE NO. 6:08CV89
7 VS.] 9 AM, SEPTEMBER 16, 2009
8 CISCO SYSTEMS, INC.] TYLER, TEXAS
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11 REPORTER'S SAME-DAY DELIVERY TRANSCRIPT OF JURY TRIAL

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13 VOLUME 3 OF ^ 000, PAGES 1 THROUGH ^ 000

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16
17 THE HONORABLE RICHARD SCHELL, U.S. DISTRICT JUDGE, PRESIDING
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24 PROCEEDINGS REPORTED USING COMPUTERIZED STENOTYPE,
25 TRANSCRIPT PRODUCED USING COMPUTER-AIDED TRANSCRIPTION.

SAME-DAY DELIVERY TRANSCRIPT

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02:39PM 1 Q. ALL RIGHT. AND THAT WOULD INCLUDE THE HIGH-PRICED
02:39PM 2 MR. MCWILLIAMS?

02:39PM 3 A. YES.

02:39PM 4 [LAUGHTER]

02:39PM 5 Q. CAN YOU TELL THE JURY WHAT IMPACT, OTHER THAN
02:39PM 6 FINANCIAL, THIS LAWSUIT HAS HAD ON YOU?

02:39PM 7 A. WELL, I MEAN OBVIOUSLY BEING SUED IS NO FUN; AND, YOU
02:39PM 8 KNOW, IT'S BEEN VERY EMOTIONAL FOR ME; AND, YOU KNOW, MY NAME
02:39PM 9 HAS BEEN SORT OF DRAGGED THROUGH THE MUD. IT'S HARD FOR ME
02:39PM 10 TO--YOU KNOW, I'M IN A LAW FIRM NOW, AND MY FIRM HAS CASES OUT
02:39PM 11 HERE IN THE EASTERN DISTRICT OF TEXAS, AND I--YOU KNOW, I CAN'T
02:39PM 12 MAKE ANY APPEARANCES OUT HERE, YOU KNOW, WHILE THIS IS STILL
02:39PM 13 HANGING OVER MY HEAD.

02:39PM 14 Q. IF CISCO WAS NOT PAYING FOR YOUR DEFENSE, DO YOU HAVE
02:39PM 15 THE FINANCIAL RESOURCES TO DEFEND YOURSELF IN THIS CASE?

02:40PM 16 A. NO, HUH-UH.

02:40PM 17 Q. YOU SAID THAT YOU WEREN'T TERMINATED. DID CISCO DO
02:40PM 18 ANYTHING--DID THEY JUST LET YOU KEEP GOING ON AT WORK AFTER
02:40PM 19 THIS LAWSUIT HAPPENED?

02:40PM 20 A. NO; THINGS CHANGED.

02:40PM 21 Q. AND HOW DID IT CHANGE?

02:40PM 22 A. WELL, FOR ONE, THERE WAS A PERIOD OF TIME THAT THERE
02:40PM 23 WAS AN INVESTIGATION AND THAT I WAS ASKED TO BACK OFF FROM ALL
02:40PM 24 THE PATENT-LITIGATION CASES WHILE THEY LOOKED INTO NOT ONLY
02:40PM 25 THIS POST BUT EVERY POST I HAD EVER WRITTEN, ALL 185 OF THEM.

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02:56PM 1 A. THIS WASN'T A CISCO BLOG, MR. PATTON, IT WAS MY
02:56PM 2 PERSONAL BLOG.
02:56PM 3 Q. I UNDERSTAND THAT. BUT YOU WERE IN THE COURSE AND
02:56PM 4 SCOPE OF YOUR EMPLOYMENT WITH CISCO, WERE YOU NOT?
02:56PM 5 A. FOR THIS ONE POST, YES.
02:56PM 6 Q. OKAY. FOR THE POST INVOLVED IN THIS LAWSUIT?
02:56PM 7 A. THAT'S RIGHT.
02:56PM 8 Q. OKAY.
02:56PM 9 A. THESE TWO POSTS OR ONE POST, WHATEVER IT IS.
02:56PM 10 Q. THEY HAVE ADMITTED THAT YOU WERE IN THE COURSE AND
02:56PM 11 SCOPE OF YOUR EMPLOYMENT FOR CISCO?
02:56PM 12 A. THEY HAVE ADMITTED THAT.
02:56PM 13 Q. OKAY.
02:56PM 14 Q. NOW, YOU TALKED ABOUT THE PEOPLE AT CISCO DIDN'T
02:56PM 15 LIKE WHAT YOU HAD DONE IN THIS POST, IS THAT RIGHT?
02:57PM 16 A. THE BANANA REPUBLIC COMMENT, RIGHT. I WAS VERY LIKE--
02:57PM 17 Q. WHO FUSSED AT YOU?
02:57PM 18 A. WHO? DO YOU WANT ALL THE NAMES?
02:57PM 19 Q. YEAH.
02:57PM 20 A. LET'S START WITH MR. CHANDLER.
02:57PM 21 Q. OKAY. HE'S THE HEAD LAWYER.
02:57PM 22 A. HE SURE IS.
02:57PM 23 Q. WHAT DID HE TELL YOU?
02:57PM 24 A. HE WAS NOT VERY HAPPY.
02:57PM 25 Q. WHAT DID HE TELL YOU IS WHAT I ASKED YOU.

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