

Exhibit C

SAME-DAY DELIVERY TRANSCRIPT

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

ERIC ALBRITTON] CASE NO. 6:08CV89
VS.] 9 AM, SEPTEMBER 16, 2009
CISCO SYSTEMS, INC.] TYLER, TEXAS

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

702

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.

SAME-DAY DELIVERY TRANSCRIPT

SAME-DAY DELIVERY TRANSCRIPT

703

02:40PM 1 Q. AND IT WAS CISCO DOING THE INVESTIGATION?

02:40PM 2 A. YES, SIR.

02:40PM 3 Q. ALL RIGHT. AND HOW LONG DID THE INVESTIGATION TAKE?

02:40PM 4 A. WELL, IT STARTED--IT STARTED AROUND MARCH 10TH AND WENT
02:40PM 5 THROUGH ABOUT THE END OF--MIDDLE TO END OF APRIL.

02:41PM 6 MR. PATTON: YOUR HONOR, I HAVE AN INQUIRY MORE
02:41PM 7 THAN AN OBJECTION. THERE'S SOMETHING UP ON THE SCREEN THAT
02:41PM 8 MR. BABCOCK DOESN'T SEEM TO BE QUESTIONING HIM ABOUT--

02:41PM 9 MR. BABCOCK: DO YOU WANT ME TO TAKE IT DOWN?

02:41PM 10 MR. PATTON: YES.

02:41PM 11 MR. BABCOCK: SURE. NO PROBLEM.

02:41PM 12 THE WITNESS: SO IT WAS ABOUT SIX WEEKS, I WOULD
02:41PM 13 SAY, GIVE OR TAKE.

02:41PM 14 MR. BABCOCK: OKAY.

02:41PM 15 Q. AND WERE YOU INTERVIEWED AS PART OF THAT INVESTIGATION?

02:41PM 16 A. YES, I WAS.

02:41PM 17 Q. AND DID CISCO--CAN YOU TELL THE LADIES AND GENTLEMEN
02:41PM 18 OF THE JURY WHETHER CISCO THOUGHT YOUR ONE-DAY BANANA REPUBLIC
02:41PM 19 COMMENT WAS A NEAT THING OR NOT?

02:41PM 20 A. OH, NO, THEY DID NOT LIKE THAT. AND I DON'T BLAME
02:41PM 21 THEM. I DIDN'T LIKE IT EITHER WHEN I RECALLED THAT I HAD
02:41PM 22 DONE IT. I HAD NOT REMEMBERED WHEN I FIRST GOT SUED BY
02:41PM 23 MR. ALBRITTON, BUT THE LAWSUIT BROUGHT ALL THAT BACK.

02:41PM 24 Q. ALL RIGHT.

02:41PM 25 I BELIEVE YOU SAID, IN RESPONSE TO MR. PATTON, THAT

SAME-DAY DELIVERY TRANSCRIPT

SAME-DAY DELIVERY TRANSCRIPT

704

02:41PM 1 YOU WERE NOT TERMINATED OR SANCTIONED IN ANY WAY AFTER THIS
02:41PM 2 INVESTIGATION.

02:41PM 3 A. RIGHT, THAT'S CORRECT.

02:41PM 4 Q. CAN YOU TELL THE LADIES AND GENTLEMEN OF THE JURY
02:41PM 5 FROM YOUR PERSPECTIVE WHETHER CISCO REACTED RESPONSIBLY AFTER
02:42PM 6 HEARING THESE ALLEGATIONS MADE BY MR. ALBRITTON?

02:42PM 7 A. I ABSOLUTELY THINK CISCO ACTED RESPONSIBLY. I WOULD
02:42PM 8 HAVE DONE THE SAME THING IF IT WAS MY EMPLOYEE THAT HAD BEEN
02:42PM 9 SUED OVER SOMETHING THAT HE WROTE IN A BLOG.

02:42PM 10 Q. ALL RIGHT, SIR.

02:42PM 11 ONE OF THE THINGS I TOLD THIS JURY WAS THAT YOU
02:42PM 12 DID--THAT CISCO--NOBODY AT CISCO OTHER THAN YOURSELF WROTE THE
02:42PM 13 OCTOBER 18TH ARTICLE THAT WE'VE BEEN TALKING SO MUCH ABOUT. IS
02:42PM 14 THAT TRUE?

02:42PM 15 A. THAT'S TRUE. THOSE WORDS WERE ALL MINE.

02:42PM 16 Q. ALL RIGHT. DID ANYBODY AT CISCO REVIEW THOSE WORDS
02:42PM 17 BEFORE YOU SENT THEM OUT?

02:42PM 18 A. NO. NOT THAT I KNOW OF.

02:42PM 19 Q. ALL RIGHT. THEY WERE ON YOUR PERSONAL COMPUTER OR
02:42PM 20 ON YOUR--WERE THEY ON YOUR BUSINESS COMPUTER OR YOUR PERSONAL
02:42PM 21 COMPUTER?

02:42PM 22 A. MOST OF THE TIME I DID THE BLOGS AT NIGHT FROM HOMME.
02:42PM 23 THIS WAS ONE THAT I HAPPENED TO DO ON MY BUSINESS COMPUTER
02:42PM 24 WHILE AT A WORK EVENT. I WASN'T IN THE OFFICE, BUT IT WAS MY
02:43PM 25 LAPTOP.

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