

# EXHIBIT B

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
TEXARKANA DIVISION

JOHN WARD, JR.

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C.A. NO. 08-4022  
JURY TRIAL DEMANDED

v.

CISCO SYSTEMS, INC.

**DEFENDANT CISCO SYSTEMS, INC.'S THIRD REQUEST FOR ADMISSIONS**

TO: Plaintiff John Ward, Jr., by and through his attorney of record, Nicholas H. Patton, Patton, Tidwell & Schroeder, LLP, 4605 Texas Boulevard, P.O. Box 5398, Texarkana, Texas 75505-5398.

Pursuant to Rule 36 of the Federal Rules of Civil Procedure, you are requested to respond to the following Requests for Admissions separately, in writing and under oath, on or before thirty (30) days after receipt of these requests.

**I.**  
**INSTRUCTIONS**

1. All responsive, non-privileged information which is in your possession or the possession of your agents and representatives is to be divulged.

2. A matter is admitted unless, within 30 days after being served, you serve on the requesting party a written answer or objection addressed to the matter and signed by you or your attorney.

3. If a matter is not admitted, the answer must specifically deny it or state in detail why the answering party cannot truthfully admit or deny it. A denial must fairly respond to the substance of the matter, and when good faith requires that you qualify an answer or deny only part of a matter, the answer must specify the part admitted and qualify or deny the rest.

4. These requests are continuing in nature and require supplemental answers in the event that you or your attorneys become aware of further information between the time the answers are given and the time of trial.

## **II.** **DEFINITIONS**

As used in these Requests, the following terms have specific meanings as defined in this section:

1. You. “You” or “Your” refers to John Ward, Jr., the plaintiff herein, and/or his respective past and present agents and representatives, including anyone who has ever acted on behalf of or at the direction of John Ward, Jr.

2. ESN v. Cisco lawsuit. “ESN v. Cisco lawsuit” refers to Civil Action No 5:07-cv-156-DF-CMC; styled ESN, LLC, Plaintiff, v. Cisco Systems, Inc., and Cisco-Linksys, LLC, Defendants, In the United States District for the Eastern District of Texas, Texarkana Division.

3. The following rules of construction apply to all discovery requests:
- All/Each. The terms “all” and each” shall be construed as all and each.
  - And/Or. The connectives “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.
  - Number. The use of the singular form of any word includes the plural and vice versa.

## **III.** **REQUESTS FOR ADMISSIONS**

**REQUEST FOR ADMISSIONS NO. 1:** Admit that the “Date Filed” column on the docket for the original complaint ESN v. Cisco lawsuit was changed from 10/15/2007 to 10/16/2007.

**RESPONSE:**

**REQUEST FOR ADMISSIONS NO. 2:** Admit that you have not consulted with any medical professionals (including mental health professionals) concerning the mental anguish you have alleged in this case.

**RESPONSE:**

**REQUEST FOR ADMISSIONS NO. 3:** Admit that you had problems sleeping before October 17, 2007.

**RESPONSE:**

**REQUEST FOR ADMISSIONS NO. 4:** Admit that you consulted with a medical professional (including but not limited to mental health professionals) concerning sleeping problems you experienced before October 17, 2007.

**RESPONSE:**

**REQUEST FOR ADMISSIONS NO. 5:** Admit that you have not consulted with any medical professionals (including but not limited to mental health professionals) concerning any damages have alleged in this case.

**RESPONSE:**

**REQUEST FOR ADMISSIONS NO. 6:** Admit that you are not admitted to practice law in Arkansas.

**RESPONSE:**

**REQUEST FOR ADMISSIONS NO. 7:** Admit that you are not claiming damage to your professional reputation in this lawsuit.

**RESPONSE:**

**REQUEST FOR ADMISSIONS NO. 8:** Admit that you are not claiming damage to your reputation in the legal community in this lawsuit.

**RESPONSE:**

**REQUEST FOR ADMISSION NO. 9:** Admit that you currently enjoy an excellent reputation for personal honesty and integrity.

**RESPONSE:**

Respectfully submitted,

**JACKSON WALKER L.L.P.**

By: /s/ Charles L. Babcock

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ATTORNEYS FOR DEFENDANT  
CISCO SYSTEMS, INC.

**CERTIFICATE OF SERVICE**

This is to certify that on this 5th day of November, 2009, a true and correct copy of the foregoing was served electronically and/or via U.S. First Class Mail upon:

Patricia L. Peden  
Law Offices of Patricia L. Peden  
5901 Christie Avenue  
Suite 201  
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/s/ Crystal J. Parker  
Crystal J. Parker

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