## EXHIBIT "C"

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

JOHN WARD, JR.,

Plaintiff,

Case No. 08-4022

vs.

CISCO SYSTEMS, INC.,

Defendant.

VIDEOTAPED DEPOSITION OF RICHARD G. FRENKEL

VOLUME I

November 18, 2009

2:15 p.m.

675 El Camino Real

Palo Alto, California

Reported by Pua'aina L. McVay, CSR 12868 Certified LiveNote Realtime Reporter



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A Subject to the explanations I gave at the beginning of this deposition when we discussed Exhibit 5, yes.

Q What were those qualifications?

A I think I believe that I added a couple of -- a couple of extra things I relied on here and there --

Q Yes.

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A -- that having gone through more than just the trial --

Q Yes.

 $\ensuremath{\mathsf{A}}$  -- it refreshes my recollection as to some other things.

Q All right. When there was some sort of internal investigation at Cisco about your blogging at some point?

A Yes.

Q When was that?

 ${\tt A}$   ${\tt After\ I}$  had been sued by Mr. Albritton and Mr. Ward.

Q So now we're into the spring of '08?

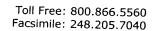
A Right. It was after March 6, 2008.

Q When did the -- how did the investigation get started?

A I don't know.

Q Who was in charge of it?





A	You	know,	I don't	really	know	for	sure.
Q	Was	it Mr.	Chandle	er?			

A I don't think so.

Q Wasn't he the one that you said you had a long talk with?

A Well, no. I mean, at some point I did talk to him but it wasn't -- it wasn't about this investigation.

Q I thought you told us at the trial that one result of the investigation was that you had had a pretty pointed discussion with Mr. Chandler and he wasn't very happy?

A One result of the fact that I was being investigated caused me to seek out Mr. Chandler on my own and ask to talk to him.

- Q So that's how that happened?
- A Yes.
- Q Tell me before we get to that about what were -- what was being done to investigate your blogging activities?

MR. McWILLIAMS: Just a minute. We need to be careful here, too. That was a very broad question and I think it could include some privileged information but I'll let --

MR. GRIFFIN: Well, if what was being done if



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	A Certainly after March 4th, 2008.				
•	Q And that date of March 4th sticks in your				
	mind because				
4	A That's a date that I got served with the Ward				
į	complaint.				
6	Q So sometime shortly after you were served				
7					
8	had a discussion with him?				
9	A Yeah, the word "fuss" I believe was				
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11					
12	very happy?				
13	A I think that's what I said.				
14	Q But you were confident at trial that he did				
15					
16	A Right.				
17	Q And he never did fire you?				
18	A Right.				
19	Q They never disciplined you in any way, did				
20	they?				
21	A That's right.				
22	Q You ultimately closed the blog down, changed				
23	it to invitation only?				
24	A I closed the blog down. There's no option to				
25	do anything other than change it to either invitation				
L					



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