

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

JOHN WARD, JR.

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§

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

v.

CISCO SYSTEMS, INC.

**CISCO SYSTEMS, INC.'S RESPONSES TO  
PLAINTIFF'S FIRST SET OF REQUESTS FOR ADMISSIONS**

TO: John Ward, Jr., by and through his attorney of record, Nicholas H. Patton, Patton,  
Tidwell & Schroeder, LLP, 4605 Texas Boulevard, Texarkana, Texas.

Pursuant to FED.R.CIV.P. 36, Defendant Cisco Systems, Inc. serves these Responses to  
Plaintiff's First Set of Requests for Admissions.

Respectfully submitted,

JACKSON WALKER L.L.P.

By: *Charles L. Babcock* <sup>*n/permission*</sup> *by CJP*

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ATTORNEYS FOR DEFENDANT  
CISCO SYSTEMS, INC.

Cisco is unable to admit or deny this request because it does not describe what is being discussed with respect to the court's electronic filing system, therefore denied.

**Request No. 20:** Admit that Cisco asked Baker Botts to call the Eastern District of Texas court clerk's office to inquire as to why the ESN v. Cisco docket entry was changed to reflect an October 16, 2007 filing date.

**RESPONSE:**

Admitted.

**Request No. 21:** Admit that the date reflected on the header or banner across the top of a pleading filed in the Eastern District of Texas is not the official record of the date a document is filed with the Court.

**RESPONSE:**

Objection, this request calls for a legal conclusion. In any event, denied.

**Request No. 22:** Admit that dates reflected on the court's docket are not the official record of the date a document is filed in the Eastern District of Texas.

**RESPONSE:**

Denied.

**Request No. 23:** Admit that the encrypted stamp contained at the bottom of the Notice of Electronic Filing is the official record of the date a pleading is filed in the District Court for the Eastern District of Texas.

**RESPONSE:**

Denied.

**Request No. 24:** Admit that it is not uncommon for the court clerks in the Eastern District of Texas to make corrections to docket entries.

**RESPONSE:**

Cisco is unable to admit or deny this request because it fails to identify the type of "corrections to docket entries" referred to. Denied that it is not uncommon for the court clerks in the Eastern District of Texas to change the file date of complaints on the docket.

**Request No. 25:** Admit that the court clerk has made corrections to the Albritton v. Cisco docket to correct filings made by Cisco.

**RESPONSE:**