

**Patricia L. Peden**

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**From:** Parker, Crystal [cparker@jw.com]  
**Sent:** Friday, June 19, 2009 2:17 PM  
**To:** Nick Patton; Patricia L. Peden  
**Cc:** Babcock, Chip; Flynn-DuPart, Mary Lou; Adair, Kathy; Marcie Long  
**Subject:** RE: Ward v. Cisco submission log

Nick,

I have reviewed the transcript and understood this to be the agreement. However, I just received a call from Erin, who said she thinks Judge Hendren's intent was for Cisco to produce all the documents that you believe are responsive to the 2 interrogatories at issue *in camera*, though she said she couldn't be sure because she hasn't had a chance to speak with Judge Hendren.

I think we may be able to resolve this if you will identify from our privilege log all the documents you think are responsive to the 2 interrogatories at issue. We have already provided you a privilege log in the Ward case, so if you can identify for me the documents from the log that you think are responsive to the Interrogatories 5 and 6, I think that may get the ball rolling.

Thank you,

Crystal J. Parker  
Jackson Walker L.L.P.  
713-752-4217

**From:** Nick Patton [mailto:nickpatton@texarkanalaw.com]  
**Sent:** Friday, June 19, 2009 3:43 PM  
**To:** Parker, Crystal; Patricia L. Peden  
**Cc:** Babcock, Chip; Flynn-DuPart, Mary Lou; Adair, Kathy; Marcie Long  
**Subject:** RE: Ward v. Cisco submission log

Crystal: I don't believe that is accurate and I believe what the judge had in mind was all documents which have not been produced under claim of privilege. I am having Marcie call to see if Judge Hendren is available for a call on monday.

Nick

**From:** Parker, Crystal [mailto:cparker@jw.com]  
**Sent:** Friday, June 19, 2009 3:13 PM  
**To:** Patricia L. Peden; Nick Patton  
**Cc:** Babcock, Chip; Flynn-DuPart, Mary Lou; Adair, Kathy; Marcie Long  
**Subject:** RE: Ward v. Cisco submission log

Patty,

We all agreed that Cisco would produce to the Court *in camera* the privileged documents Cisco produced in the Albritton case. I believe the log contains all of those documents. If you will let me know whether there are any documents produced in the Albritton case that were not identified, we will add them to the list. Otherwise, we will get the documents to the Court.

Thanks,

Crystal J. Parker  
Jackson Walker L.L.P.  
713-752-4217

**From:** Patricia L. Peden [mailto:ppeden@pedenlawfirm.com]  
**Sent:** Wednesday, June 17, 2009 12:32 PM  
**To:** Parker, Crystal; nickpatton@texarkanalaw.com  
**Cc:** Babcock, Chip; Flynn-DuPart, Mary Lou; Adair, Kathy; 'Marcie Long'  
**Subject:** RE: Ward v. Cisco submission log

Crystal:

We will look through the list and confirm that it includes all of the documents produced in the Albritton case. It will take us a day or two to do that and get back to you. Cisco's submission log should also include the documents that Baker Botts gave Cisco for production in the Albritton case. Also, there are documents on Cisco's privilege log separate and apart from the documents produced in the Albritton case that should be submitted. We will identify those documents for inclusion on Cisco's list. Can you confirm for me that Cisco's privilege log has not changed since it was last produced to Ward? If additional documents have been logged on Cisco's privilege log, please provide us with an updated privilege log so that we can identify the documents we would like submitted to Judge Hendren. Finally, you may want to include a column on the far left of the submission log that numbers the documents. If the Court has questions about the documents and wants further argument, it helps to be able to discuss the documents by number.

Thanks,  
Patty

**From:** Parker, Crystal [mailto:cparker@jw.com]  
**Sent:** Wednesday, June 17, 2009 7:58 AM  
**To:** ppeden@pedenlawfirm.com; nickpatton@texarkanalaw.com  
**Cc:** Babcock, Chip; Flynn-DuPart, Mary Lou; Adair, Kathy  
**Subject:** Ward v. Cisco submission log

<<DOCSOPEN-#5536654-v2-Privileged\_Documents\_Produced\_in\_Albritton\_v\_\_\_Cisco\_case.DOC>>  
Patty and Nick,

Attached is the submission log containing all the privileged documents produced under the Protective Order and non-waiver agreements in the Albritton v. Cisco case (except one as described below). As we agreed in our hearing with Judge Hendren, Cisco will submit these documents for in camera inspection on or before next Friday. Judge Hendren asked us to come to an agreement regarding this list. Please confirm that these are all the privileged documents produced under the Protective Order and non-waiver agreements in the Albritton v. Cisco case. You will notice that one document is missing: CISCO PRIVILEGED.000014, which was inadvertently produced as a privileged document, when it is only responses to privileged documents but not itself privileged. I will have it bates labeled and produced to you as a non-privileged document before we submit these documents to Judge Hendren.

Take care,

Crystal J. Parker  
Jackson Walker L.L.P.  
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