

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

JOHN WARD, JR.

Plaintiff

v.

CISCO SYSTEMS, INC.

Defendant.

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No. 08-4022

JURY TRIAL DEMANDED

**PLAINTIFF’S REPLY TO AFFIRMATIVE DEFENSES, OTHER
DEFENSIVE MATTER, AND COUNTERCLAIM**

Plaintiff John Ward, Jr. (“Plaintiff”) hereby answers and replies to the affirmative defenses and counterclaims asserted in Defendant’s Answer to Plaintiff’s First Amended Complaint and Counterclaim as follows:

AFFIRMATIVE DEFENSES

To the extent that Federal Rule of Civil Procedure 8 requires responsive pleading to the allegations in Defendant’s affirmative defenses, Plaintiff pleads as follows:

1. Plaintiff denies the allegations of Paragraph 49.
2. Plaintiff denies the allegations of Paragraph 50.
3. Plaintiff denies the allegations of Paragraph 51.
4. Plaintiff denies the allegations of Paragraph 52.
5. Plaintiff denies the allegations of Paragraph 53.
6. Plaintiff denies the allegations of Paragraph 54.
7. Plaintiff denies the allegations of Paragraph 55.

8. Plaintiff denies the allegations of Paragraph 56.
9. Plaintiff denies the allegations of Paragraph 57.
10. Plaintiff denies the allegations of Paragraph 58.
11. Plaintiff admits that Frenkel published posts on or about November 7, 2007 and October 19, 2007 as alleged in Paragraph 59 but denies the characterization or effect of the posts as alleged in Paragraph 59. Plaintiff is without knowledge or information to form a belief about the truth of the allegation that Frenkel removed the Complained of Statements from the internet in March 2008 and therefore denies the same. Plaintiff denies the remaining allegations of Paragraph 59.
12. Plaintiff admits that an article was published in the Texarkana Gazette in which Nick Patton used the word “bully” in reference to Cisco and “coward” in reference to Frenkel. Plaintiff denies the remaining allegations of Paragraph 60.
13. Plaintiff denies the allegations of Paragraph 61.
14. Plaintiff denies the allegations of Paragraph 62.

COUNTERCLAIM

15. The allegations in Paragraph 63 are admitted.
16. The allegations in Paragraph 64 are denied.
17. The allegations in Paragraph 65 are denied.

Plaintiff Ward prays that Defendant’s counterclaims be dismissed with prejudice, for the relief prayed for in his First Amended Complaint and all other relief to which he may be entitled.

Respectfully submitted,



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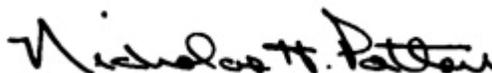
ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

This is to certify that on this 2nd day of July, 2009, a true and correct copy of the foregoing document was served electronically upon:

Richard E. Griffin
Charles Babcock
Crystal Parker
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Attorney for Defendant Cisco Systems, Inc.



Nicholas H. Patton