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By ECF

Clerk of Court
United States Court of Appeals For the Eighth Circuit
Thomas F. Eagleton Courthouse
111 South 10th Street, Room 24.329
St. Louis, Missouri 63102

Re: *In re: Cisco Systems, Inc.*, No. 09-3055.

To the Clerk of Court:

On September 1, 2009, Cisco Systems, Inc. filed a Petition for Writ of Mandamus seeking review of an order entered August 24, 2009, by the United States District Court for the Western District of Arkansas, Texarkana Division (the Honorable Jimm Larry Hendren, presiding), in the case styled *John Ward, Jr. v. Cisco Systems, Inc.*, No. 08-4022. In connection with its Petition, Cisco Systems, Inc. also filed a Conditional Emergency Motion for Stay with this Court, requesting a stay of the trial court's August 24 order pending resolution of the Petition for Writ of Mandamus.

Today the United States District Court issued a stay of its August 24 order pending a ruling from this Court on the Petition for Writ of Mandamus. Cisco Systems, Inc. therefore withdraws its Conditional Emergency Motion for Stay as moot.

By copy of this letter Cisco Systems, Inc. will inform all counsel of record as well as the District Court of the withdrawal of the Conditional Emergency Motion for Stay.

Please contact me if you have any questions.

Respectfully submitted,

/s/ Kurt Schwarz

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