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Attorneys for Movants  
CISCO SYSTEMS, INC., RICHARD FRENKEL,  
MALLUN YEN, JOHN NOH & MARK CHANDLER

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ERIC M. ALBRITTON,  
Plaintiff,

vs.

CISCO SYSTEMS, INC., RICHARD  
FRENKEL, MALLUN YEN, & JOHN  
NOH,  
Defendants.

Miscellaneous Action No.  
CV 5:08-mc-80153-JW (HRL)

**DECLARATION OF WILLIAM  
FRIEDMAN IN SUPPORT OF  
DEFENDANTS CISCO SYSTEMS,  
INC., RICHARD FRENKEL, MALLUN  
YEN, JOHN NOH & NON-PARTY  
MARK CHANDLER'S MOTION TO  
QUASH SUBPOENA**

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I, William Friedman, declare and state as follows:

1. My name is William Friedman. I am over twenty-one years of age, competent in all respects and authorized to execute this Declaration. All of the matters stated herein are true and correct and are within my personal knowledge.

2. I am Senior Corporate Counsel—Legal Services at Cisco Systems, Inc. (“Cisco”). As Senior Corporate Counsel for Cisco, my responsibilities and duties include the coordination of inside and outside legal counsel employed to represent Cisco in litigation. In addition, I regularly manage communications among such legal counsel and Cisco employees. Many of these communications are conducted via e-mail on accounts maintained by Google.

3. As Senior Corporate Counsel for Cisco, I have worked with Richard Frenkel (“Frenkel”), Mallun Yen (“Yen”), John Noh (“Noh”), and Mark Chandler (“Chandler”). Frenkel was at all times material to the underlying lawsuit that forms the basis of the subpoena (the “Underlying Lawsuit”) a Director, Intellectual Property—Consumer and Emerging Technologies of Cisco. Yen is and was at all times material to the Underlying Lawsuit the Vice President, Worldwide Intellectual Property of Cisco. Noh was at all times material to the Underlying Lawsuit the Senior Public Relations Manager, Corporate Communications of Cisco. Chandler is and was at all times material to the Underlying Lawsuit Cisco’s General Counsel. Frenkel, Yen, and Chandler served as legal counsel for Cisco at all times material to the Underlying Lawsuit. In his capacity as Senior Public Relations Manager, Noh assisted with litigation for Cisco at all times material to the Underlying Lawsuit.


4. As employees of Cisco, Frenkel, Yen, Noh, and Chandler communicated via e-mail with inside and outside counsel for Cisco regarding legal services sought on behalf of Cisco. In particular, I am familiar with certain communications among Frenkel, Yen, Noh, Chandler, and other legal counsel employed to represent Cisco in litigation, which is or may be the subject of the subpoena. I also am familiar with certain work product prepared by Frenkel, Yen, Chandler, and/or other legal counsel employed to represent Cisco in litigation, which also is or may be the subject of the subpoena.

1           5.       Some or all of the material sought by the subpoena concerns confidential  
2 communications between Cisco and its lawyers regarding legal advice sought on behalf of Cisco  
3 for the purpose of protecting its legal rights. Accordingly, the subpoena seeks to compel the  
4 disclosure of material protected by Cisco's attorney-client privilege, a privilege that Cisco has not  
5 waived.

6           6.       Moreover, some or all of the material sought by the subpoena concerns the  
7 impressions, opinions, conclusions, legal theories, and research prepared by Cisco's lawyers for  
8 the purpose of protecting Cisco's legal rights in litigation or in anticipation of litigation.  
9 Accordingly, the subpoena seeks to compel disclosure of material protected by the work product  
10 doctrine, a protection that has not been waived.

11           7.       I declare under penalty of perjury that the foregoing is true and correct.

12           Executed on September 4, 2008.

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