

EXHIBIT 22

CERTIFIED COPY

ERIC M. ALBRITTON)
)
v.)
) C.A. NO. 6:08-CV-00089
CISCO SYSTEMS, INC.,)
RICK FRENKEL, MALLUN YEN &)
JOHN NOH)

ORAL AND VIDEOTAPED DEPOSITION OF FAYE THOMPSON,
produced as a witness at the instance of the Defendant,
and duly sworn, was taken in the above-styled and
numbered cause on the 3rd day of November, 2008, from
5:02 p.m. to 5:12 p.m., before April R. Eichelberger,
CSR in and for the State of Texas, reported by machine
shorthand, at the United States District Court for the
Eastern District of Texas, 211 West Ferguson Street in
the City Tyler and the State of Texas, pursuant to the
Federal Rules of Civil Procedure and the provisions
stated on the record or attached hereto.

P R O C E E D I N G S

THE VIDEOGRAPHER: This is the oral and videotaped deposition of Faye Thompson taken in the suit styled Eric M. Albritton versus Cisco Systems, Inc., et al, Cause Number 6:08-CV-00089. Today's date is November the 3rd, 2008. We are located at the Federal Courthouse Eastern Division, 211 West Ferguson Street of Tyler Texas. We are now on the record. The time is approximately 5:02.

Will the court reporter please swear in the witness.

FAYE THOMPSON,
having been first duly sworn, testified as follows:

EXAMINATION

BY MR. BABCOCK:

Q. Would you state your name, please?

A. My name is Faye Thompson.

Q. Ms. Thompson, how are you employed?

A. How?

Q. Yes. Who employees you? How do you -- what's your job?

A. I'm a deputy clerk.

Q. And I'm guessing for the United States District Court for the Eastern District of Texas?

A. That's correct.

1 that she made the request of?

2 A. Peggy was the only person that I know that she
3 spoke -- spoke to concerning that, yes.

4 Q. All right. In any event, Amie didn't talk to
5 you about that?

6 A. No, she didn't talk to me.

7 Q. All right. And then it says a little bit
8 later, "At 4:43 p.m. on October 17th, the Tyler docket
9 clerk changed the date filed for the complaint from
10 October 15th to October 16th." And that was you,
11 correct?

12 A. That was me.

13 Q. Okay. And that's an accurate statement,
14 right?

15 A. Yes.

16 Q. Okay. Did you ever tell Mr. Maland after
17 receiving this e-mail that there was anything
18 inaccurate, wrong, or anything that he needed to change
19 about this letter he wrote to the Texas Lawyer?

20 A. No, I didn't.

21 Q. Okay. Have you ever heard of a website called
22 the "Patent Troll Tracker"?

23 A. No.

24 Q. Have you ever seen any articles on the Patent
25 Troll Tracker, specifically October 17th and

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF TEXAS
 TYLER DIVISION

3 ERIC M. ALBRITTON)
)
4 v.)
) C.A. NO. 6:08-CV-00089
5 CISCO SYSTEMS, INC.,)
6 RICK FRENKEL, MALLUN YEN &)
 JOHN NOH)

7 REPORTER'S CERTIFICATION
8 DEPOSITION OF FAYE THOMPSON
9 NOVEMBER 3, 2008

10 I, April Eichelberger, Certified Shorthand Reporter
11 in and for the State of Texas, hereby certify to the
12 following:

13 That the witness, FAYE THOMPSON, was duly sworn by
14 the officer and that the transcript of the oral
15 deposition is a true record of the testimony given by
16 the witness;

17 That the deposition transcript was submitted on
18 _____ to the witness or to the attorney
19 for the witness for examination, signature and return to
20 me by _____;

21 That the amount of time used by each party at the
22 deposition is as follows:

23 MR. BABCOCK.....6 minutes

24 MR. McWILLIAMS...0 minutes

25 MR. HOLMES.....3 minutes;

1 That pursuant to information given to the deposition
2 officer at the time said testimony was taken, the
3 following includes counsel for all parties of record:

4 FOR THE PLAINTIFF:

5 Mr. James A. Holmes

6 FOR THE DEFENDANT CISCO SYSTEMS, INC.:

7 Mr. Charles L. Babcock, Ms. Crystal J. Parker

8 FOR THE DEFENDANT RICHARD FRENKEL:

9 Mr. George L. McWilliams

10 FOR THE WITNESS:

11 Mr. Thomas E. Gibson, Mr. Bob Wells

12 That \$ _____ is the deposition officer's charges
13 to the Defendant for preparing the original deposition
14 transcript and any copies of exhibits;

15 I further certify that I am neither counsel for,
16 related to, nor employed by any of the parties or
17 attorneys in the action in which this proceeding was
18 taken, and further that I am not financially or
19 otherwise interested in the outcome of the action.

20 Certified to by me this ____ day of

21 _____, 2008.

22
23
24 _____
April Eichelberger
Texas CSR No. 7495
25 Expiration Date: December 31, 2009

1 That pursuant to information given to the deposition
2 officer at the time said testimony was taken, the
3 following includes counsel for all parties of record:

4 FOR THE PLAINTIFF:

5 Mr. James A. Holmes

6 FOR THE DEFENDANT CISCO SYSTEMS, INC.:

7 Mr. Charles L. Babcock, Ms. Crystal J. Parker

8 FOR THE DEFENDANT RICHARD FRENKEL:

9 Mr. George L. McWilliams

10 FOR THE WITNESS:

11 Mr. Thomas E. Gibson, Mr. Bob Wells

12 That \$ _____ is the deposition officer's charges
13 to the Defendant for preparing the original deposition
14 transcript and any copies of exhibits;

15 I further certify that I am neither counsel for,
16 related to, nor employed by any of the parties or
17 attorneys in the action in which this proceeding was
18 taken, and further that I am not financially or
19 otherwise interested in the outcome of the action.

20 Certified to by me this 5th day of

21 November, 2008.

22
23 

24 April Eichelberger

25 Texas CSR No. 7495

Expiration Date: December 31, 2009