

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION

ERIC M. ALBRITTON

v.

CISCO SYSTEMS, INC.,
RICK FRENKEL, MALLUN YEN &
JOHN NOH

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C. A. NO. 6:08-CV-00089

**ORDER GRANTING DEFENDANTS' OBJECTIONS AND MOTION
TO STRIKE PLAINTIFF'S EVIDENCE CITED IN RESPONSE TO
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

Came on for consideration the Defendants' Objections and Motion to Strike Plaintiff's Evidence Cited in Response to Defendants' Motion for Summary Judgment (the "Motion") in the above-referenced matter. The Court, having considered the Motion, hereby ORDERS:

The Motion is GRANTED for the reasons stated in the Motion as to the following evidence:

1. Exhibit 2, Paragraphs 3, 4 and 5 of the declarations of Sam Baxter;
2. Exhibit 3, Paragraphs 3, 4, and 5 of the declaration of Louis Brucceleri;
3. Exhibit 4, Paragraphs 3, 4, and 5 of the declaration of Otis Carroll;
4. Exhibit 6, Paragraphs 3, 4, and 5 of the declaration of Danny Williams;
5. Exhibit 7, page 80:10 through 81:13 of the deposition of Eric Albritton;
6. Exhibit 9, page 9:11 through 11:15 of the deposition of Otis Carroll;
7. Exhibit 13;
8. Exhibit 15, page 79:4-25 and page 89:5 through 91:15 of the deposition of Peter J. McAndrews;

9. Exhibit 23, page 114:6 through 115:10 and page 115:19-24 of the deposition of Michael Charles Smith; and
10. Exhibit 32.

SO ORDERED.