

EXHIBIT 43

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

ERIC M. ALBRITTON,)
Plaintiff,)
VS.)
CISCO SYSTEMS, INC.,)
RICK FRENKEL, MALLUN YEN &)
JOHN NOH,)
Defendants.)

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

CERTIFIED COPY

ORAL AND VIDEOTAPED DEPOSITION OF
DANNY LLOYD WILLIAMS
NOVEMBER 10, 2008

ORAL AND VIDEOTAPED DEPOSITION of DANNY LLOYD WILLIAMS, produced as a witness at the instance of the Defendants, and duly sworn, was taken in the above-styled and numbered cause on the 10th of November, 2008, from 9:55 a.m. to 10:10 a.m., before Kathy Genung, a court reporter, and a notary public in and for the State of Texas, reported by machine shorthand, at the offices of Jackson Walker, 1401 McKinney, Suite 2000, Houston, Texas 77010, pursuant to the Federal Rules of Civil Procedure, notice, and the provisions stated on the record or attached hereto.

1 THE VIDEOGRAPHER: Here begins the
2 videotape deposition of Danny Williams, tape one, volume
3 one, in the matter of Eric M. Albritton versus Cisco
4 Systems, Inc., et al, Case 6:08-CV-00089. Today's date
5 is November 10, 2008. And the time on the video monitor
6 is 9:55. The video operator today is Jim Hanna,
7 representing West Court Reporting Service. The court
8 reporter is Kathy Genung of HG Litigation Services,
9 reporting on behalf of West Court Reporting Service.
10 Today's depo -- today's deposition is being taken on
11 behalf of the defendant and is taking place at Jackson
12 and Walker, 1401 McKinney, Houston, Texas. Counsel,
13 please introduce yourselves and state whom you represent
14 after which the court reporter will swear in the witness.

15 MR. PATTON: I'm Nick Patton. I represent
16 the plaintiff, Eric Albritton.

17 MS. HAMILTON: Nancy Hamilton with Jackson
18 Walker, representing Cisco Systems, Inc., et al.

19 (The witness was sworn)

20 DANNY LLOYD WILLIAMS,
21 called as a witness, testified as follows:

22 EXAMINATION

23 BY MS. HAMILTON:

24 Q. Would you state your name for the record,
25 please?

1 A. Yes. Danny Lloyd Williams.

2 Q. And, Mr. Williams, let me ask you if you're
3 appearing here today pursuant to a notice of subpoena?

4 A. Yes.

5 Q. And have you had a chance to look at that
6 document that I've handing you? That's the notice of
7 subpoena. Have you had a chance to look at that
8 previously?

9 A. Yes.

10 Q. Okay. And you are appearing pursuant to that
11 subpoena?

12 A. Yeah. I think the day was redone; but
13 otherwise, yes.

14 Q. Right. The date on the subpoena, I think, says
15 November 4th; and by agreement, it was changed to today,
16 November 10th?

17 A. That's right.

18 Q. Okay. Thank you. Mr. Williams, how are you
19 employed?

20 A. I'm a partner at Williams, Morgan & Amerson, a
21 firm here in town.

22 Q. And that's a law firm. Right?

23 A. Yes, ma'am.

24 Q. Okay. And what is your educational background?
25 You don't have to go back to high school.

1 there.

2 Q. Okay. And "up there" is where?

3 A. Primarily Northeast Texas. That's where all the
4 cases I have currently are pending.

5 Q. So you -- you are a patent litigator?

6 A. Yes, ma'am.

7 Q. And do you have a social relationship with
8 Mr. Albritton as well as a professional relationship?

9 A. Yeah, somewhat. I mean, we've had meals
10 together, that kind of thing. Yeah, I would say he's a
11 friend of mine, yes.

12 Q. Okay. And is he a good friend of yours or --

13 A. Yeah, I'd say a good friend, yes.

14 Q. Okay. And you've been designated or, actually,
15 disclosed as a person with knowledge in this case by
16 Mr. Albritton's counsel. Are you aware of that?

17 A. I became aware of it, but I'm not sure when.
18 Recently.

19 Q. Okay. And did you have --

20 A. I think --

21 Q. I'm sorry.

22 A. I was just going to say I think that's why I'm
23 here today.

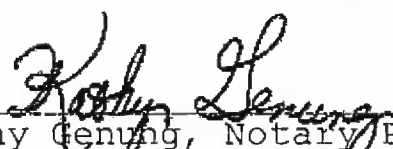
24 Q. Did you have a conversation with anyone about
25 that designation or disclosure?

1 THE STATE OF TEXAS)
2)
3 COUNTY OF FORT BEND)

4 I, a court reporter, and a notary public in and
5 for the State of Texas, do hereby certify that the
6 matters set forth in the caption to the foregoing
7 deposition are true and correct; that the witness
8 appeared before me at the time and place set forth; that
9 said witness was first duly sworn to tell the truth, and
10 thereupon proceeded to testify in said cause; that the
11 questions of counsel and the answers of the said witness
12 were taken down in shorthand by me and thereafter reduced
13 to typewriting under my direction; and that the foregoing
14 pages comprise a true, correct and complete transcript of
15 the testimony given and the proceedings had during the
16 taking of said deposition.

17 I further certify that I am not counsel,
18 attorney or relative of either party, or otherwise
19 interested in the event of this suit.

20 GIVEN UNDER MY HAND AND SEAL OF OFFICE on this
21 the 10th day of November A.D. 2008.

22
23 
24 My Commission Kathy Genung, Notary Public in and
25 Exp. 10/10/2009 for the State of Texas