

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

ERIC M. ALBRITTON,

Plaintiff,

v.

(1) CISCO SYSTEMS, INC., (2) RICHARD
FRENKEL, (3) MALLUN YEN and
(4) JOHN NOH,

Defendants.

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NO. 6:08-CV-00089

PLAINTIFF'S SECOND CORRECTED DESIGNATION OF TRIAL WITNESSES

Pursuant to the Scheduling Order (DE #14), Plaintiff hereby designates to Defendants the persons who may be called as witnesses at time of trial.

The following witnesses will be called live or via video tape deposition testimony:

1. Eric M. Albritton
2. Michelle L. Albritton
3. Peter McAndrews
4. Amie Mathis
5. Samuel Baxter
6. T. John Ward, Jr.
7. David J. Maland
8. Rhonda Lafitte
9. Jillian Powell
10. Kurt Pankratz
11. Bart Showalter
12. Kevin Meek
13. Otis Carroll
14. Richard Frenkel
15. Cisco Corporate Representative

May Call

16. Elizabeth DeRieux
17. Danny Williams
18. Lou Brucculeri



19. Shelly Moore
20. John A. Albritton
21. Marta Beckwith
22. Mark Chandler
23. Steve Schortgen
24. Michael Smith
25. Mallun Yen
26. John Noh
27. David Provines
28. Peggy Thompson
29. Robert M. Parker
30. Scott E. Stevens
31. Faye Thompson
32. Rachel Wilson
33. Cynthia Parr
34. Doug Kubehl
35. Charles Silver

Plaintiff reserves the right to call any witness identified by Defendants.

Respectfully submitted,

/s/ Nicholas H. Patton

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THE LAW OFFICE OF JAMES HOLMES, P.C.
635 South Main, Suite 203
Henderson, Texas 75654
903.657.2800 / 903.657.2855 (Fax)

ATTORNEYS FOR PLAINTIFF

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

ERIC M. ALBRITTON,

Plaintiff

v.

**CISCO SYSTEMS, INC. RICHARD
FRENKEL, MAULLUN YEN and
JOHN NOH,**

Defendant

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No. 6:08cv00089

PLAINTIFF'S TRIAL AND DEPOSITION TESTIMONY DESIGNATIONS

| DEPONENT | DATE | DESIGNATIONS |
|-----------------|---------------|---|
| Eric Albritton | Oct. 27, 2008 | 154:12-14 |
| David Maland | Nov. 3, 2008 | 9:11-17 11:6-13:2 14:19-16:1 16:11-21 17:1-19:4 19:9-20:9 21:13-22:15 23:6-9 24:3-12 26:16-18 26:22-27:4 28:8-29:8 29:18-30:4 31:7-32:1 33:4-24 36:8-37:6 38:2-16 38:21-39:6 39:13-40:20 40:22-41:2 41:7-11 |

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| Shelly Moore | Nov. 3, 2008 | 5:17-6:3 6:19-7:2 7:7-21 8:8-21 9:16-25 10:7-24 11:13-24 12:7-22 16:12-20 17:7-21 20:12-21 23:4-8 24:16-28:18 |
| Cynthia Paar | Nov. 3, 2008 | 5:16-6:4 6:25-7:18 7:22-8:8 9:2-10:11 13:5-14:22 15:25-18:9 19:2-10 19:13-15 19:17-19 19:22-23 19:25 20:2-5 20:8 20:9-20:15 20:18-22 20:24 21:2-5 23:8-23:16 23:18-25:3 |

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| | | 25:6-19 27:25-28:21 |
| Peggy Thompson | Nov. 3, 2008 | 5:16-22 6:15-7:2 7:10-8:19 11:13-12:24 13:20-14:15 15:11-20 19:2-15 20:14-26:7 26:22-27:11 27:18 |
| Rhonda Lafitte | Nov. 3, 2008 | 5:17-21 6:13-7:10 7:21-8:21 22:24-23:4 23:8-24:4 |
| David Provines | Nov. 3, 2008 | 5:16-6:10 8:3-9:23 10:11-14 10:11-11:20 12:10-13:20 22:25-23:14 25:3-9 29:12-24 31:13-33:25 34:1-17 34:23-35:18 36:6-37:20 38:15-41:5 41:23-45:18 46:3-8 46:11-48:19 49:2-4 49:12-50:17 |
| Rachel Wilson | Nov. 3, 2008 | 5:16-6:2 10:12-23 |
| Faye Thompson | Nov. 3, 2008 | 5:16-6:6 6:13-15 6:22-8:25 |

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| Peter McAndrews | Nov. 7, 2008 | 9:12-16:20 18:10-21:23 25:20-27:17 28:14-30:19 31:6-13 32:9-33:11 36:11-37:4 43:17-47:18 48:13-49:22 53:9-55:11 65:17-71:5 78:5-81:2 82:8-14 82:18-23 83:19-84:19 87:6-17 88:16-91:15 |
| Mallun Yen (as an individual and in her capacity as a Rule 30(b)(6) witness for Defendant Cisco). | Nov. 17, 2008 | 7:19-20 8:14-9:21 10:1-11:7 17:8-21 19:15-20:9 27:1-5 36:5-41:11 45:18-46:21 63:15-64:4 68:16-24 69:1-70:10 72:19-80:19 81:6-81:11 84:2-85:3 86:5-11 86:13-96:24 97:19-98:20 99:6-13 99:18-100:4 100:7-101:7 101:21-102:11 103:12-105:18 108:24-118:16 118:20-21 119:11-121:24 |

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| John Noh | Nov. 17, 2008 | 7:10-11 7:25-8:18 10:12-11:5 12:23-14:1 14:13-15:5 15:14-17:22 20:22-23:1 24:6-8 24:20-25:5 29:7-20 32:16-34:18 |

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| | | 35:9-23 36:2-6 36:15-37:4 37:21-40:25 41:7-42:9 43:10-44:22 46:20-47:14 48:17-49:11 55:15-56:15 60:10-61:25 65:24-66:7 66:15-17 73:6-13 78:18-21 80:9-17 80:24-82:13 86:12-17 91:20-24 97:21-98:14 98:17-99:2 101:13-102:22 103:1-103:25 104:20-106:25 107:19-108:19 110:19-21 111:3-10 114:16-20 118:15-122:7 124:4-126:14 126:21-24 127:12-129:2 134:12-18 135:9-136:6 138:19-139:21 140:25-141:22 |
| Mark Chandler (as an individual and in his capacity as a Rule 30(b)(6) witness for Defendant Cisco). | Nov. 18, 2008 | 10:7-8 10:21-11:11 15:9-15 15:23-25 34:6-15 36:7-37:1 56:6-57:20 58:6-58:12 76:13-77:21 |

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| | | 87:24-88:9 88:16-91:18 91:19-93:10 94:4-97:11 97:22-98:4 |
| Richard Frenkel (as an individual and in his capacity as a Rule 30(b)(c) witness for Defendant Cisco). | Nov. 18, 2008 | 7:9-10 8:19-9:10 11:5-22 12:20-13:1 18:16-18 20:4-9 24:23-26:12 27:23-28:23 29:21-32:7 34:3-35:23 37:25-39:8 39:9-15 40:10-45:12 45:23-47:18 48:7-14 49:3-11 51:4-52:14 54:1-22 55:5-56:13 56:16-19 56:23 57:10-22 58:7-59:8 73:20-25 74:2-9 76:2-20 79:20-80:25 82:3-5 82:19-85:3 85:10-86:7 87:8-88:9 90:3-92:2 94:20-95:11 96:23-97:17 101:5-102:3 107:11-20 112:20-23 113:19-117:24 121:10-16 |

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| Marta Beckwith | Nov. 19, 2008 | 7:8-8:23 9:7-12:15 14:22-15:15 16:17-17:5 17:10-19:4 19:19-21 20:1-20:15 22:2-17 22:18-24:14 25:6-25 26:7-15 26:22-31:10 31:16-32:8 32:15-33:1 34:7-12 35:9-18 36:10-37:24 39:18-41:25 43:17-25 46:25-47:9 50:18-53:10 57:18-58:2 58:13-59:25 60:12-62:20 63:8-64:15 64:21-66:7 67:9-10 |

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| Kurt Pankratz | Nov. 24, 2008 | 5:3-4 5:10-17 27:1-21 28:19-29:8 28:19-29:3 29:24-30:17 34:4-35:15 |
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| Douglas Kuehl | Nov. 24, 2008 | 4:19-20 34:12-35:12 |