

EXHIBIT "B"

CERTIFIED COPY

IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

TYLER DIVISION

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

ORAL DEPOSITION OF

ERIC M. ALBRITTON

OCTOBER 27TH, 2008

ORAL DEPOSITION OF ERIC ALBRITTON, produced as a witness at the instance of the CLAIMANT, and duly sworn, was taken in the above-styled and numbered cause on the 27th of October, 2008, from 12:44 p.m. to 4:24 p.m., before Tammy Staggs, CSR in and for the State of Texas, reported by machine shorthand, at the Law Offices of James A. Holmes, 605 South Main, Suite 203, Henderson, Texas, pursuant to the Federal Rules of Civil Procedure and the provisions stated on the record or attached hereto.

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A P P E A R A N C E S

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ALSO PRESENT:

Doug Rankin - Videographer

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INDEX

PAGE

Appearances.....	2
Exhibit List.....	4
Stipulations.....	--
ERIC ALBRITTON:	
EXAMINATION BY MR. BABCOCK.....	6
EXAMINATION BY MR. McWILLIAMS.....	134
Signature and Changes.....	157
Reporter's Certificate.....	159

REQUESTED DOCUMENTS/INFORMATION
(None)

CERTIFIED QUESTIONS
(None)

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EXHIBITS		
NO.	DESCRIPTION	PAGE
Exhibit 21A	Notice of deposition.....	6
Exhibit 22	Patently-O, Patent Law Blog.....	100
Exhibit 23	Law 360, the newswire for business lawyers.....	104
Exhibit 26	E-mail from Mr. Albritton to John Ward, dated 10/16/07.....	107
Exhibit 28	Series of E-mails between Johnny Ward and Mr. Albritton dated 10/17/07.....	107
Exhibit 31	Two articles that are the subject of the lawsuit.....	84
Exhibit 32	Memorandum in Support of Defendant's Motion to Stay.....	29
Exhibit 36	Draft of this plaintiff's motion to enjoin sent to Mr. Albritton by Mr. McAndrews on October 17th at 8:01....	36
Exhibit 39	E-mail from Peter McAndrews to Mr. Albritton and John Ward.....	108
Exhibit 47	Letter to Mr. Albritton from Jason Saunders dated 10/18/07.....	114
Exhibit 49	E-mail from Jamie Holmes to Michael Smith dated 3/14/08.....	123
Exhibit 62	Printout of the Albritton Law Firm Web site in 2007.....	125
Exhibit 63	Printout from lawyers.com.....	127

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PREVIOUSLY MARKED EXHIBITS

NO.	DESCRIPTION	PAGE
Exhibit 12	David Maland's memo.....	45
Exhibit 14	Three E-mails between Ms. Mathis and Mr. Albritton on March 14th of 2008.....	54
Exhibit 19	Civil cover sheet on the ESN vs. Cisco Case.....	18

1 P R O C E E D I N G S

2 (Exhibits 21A - 63 marked)

3 THE VIDEOGRAPHER: Here begins the
4 videotape deposition of Eric Albritton in the matter of
5 Eric M. Albritton vs. Cisco Systems, Inc., Rick Frenkel,
6 et al. Case No. 6:08CV00089. Today's date is October
7 27th of 2008. The time is approximately 12:44 p.m. Now
8 on the record.

9 ERIC ALBRITTON,

10 having been first duly sworn, testified as follows:

11 EXAMINATION

12 BY MR. BABCOCK:

13 Q. Would you state your name, sir.

14 A. Eric Albritton.

15 Q. Mr. Albritton, here is Exhibit 21A. I just
16 like to start each deposition with a notice. Obviously
17 you're here, so there's no question about that.

18 What -- how are you employed?

19 A. I'm a lawyer.

20 Q. And do you practice with a firm?

21 A. I do.

22 Q. What's the name of the firm?

23 A. Eric M. Albritton, PC.

24 Q. And PC stands for professional corporation,
25 correct?

1 me and the clerk's office of being criminals and
2 conspiring together to manufacture subject matter
3 jurisdiction, something to that effect.

4 Q. Okay. What did -- what did Wesley Hill
5 respond?

6 A. I don't recall. I'm sure he said something
7 about them being sorry no-good suckers. Them being
8 whoever the anonymous person was, but I don't recall
9 specifically.

10 Q. Do you recall him using the phrase "sorry
11 no-good suckers"?

12 A. No.

13 Q. That's your phrase?

14 A. Yes, sir.

15 Q. Have you ever called the people responsible
16 for the Troll Tracker article on the October 18th sorry
17 no-good suckers before?

18 A. I don't recall if I've called them that
19 specifically, but I've called them lots of ugly names.

20 Q. Okay. To whom?

21 A. I don't know.

22 Q. But you're not shy about calling them names, I
23 take it?

24 A. When they accuse me of being a criminal,
25 absolutely not.

1 you believe the law presumes?

2 A. I'm not here to offer legal opinions.
3 Whatever the law presumes is whatever the law presumes.

4 Q. Okay. So -- so to get -- get back to my
5 question a few questions ago, you're not willing to rule
6 out anything that the law would permit you to have other
7 than economic damages?

8 A. I'm not asking for any economic damage.

9 Q. And other than that, you're going for
10 everything?

11 A. As we sit here this second, I think a jury
12 ought to be able to award, you know, the damages it
13 believes are appropriate, except for I'm not asking for,
14 you know, medical bills or economic damages.

15 Q. Okay. The ambiguity that I mentioned earlier
16 was created by your complaint vis-a-vis your
17 disclosures, and it says in your complaint that you've
18 endured shame, embarrassment, humiliation, mental pain,
19 and anguish. Are you still seeking damages for all
20 those things?

21 A. Yes. This has been extremely, extremely
22 traumatic.

23 Q. Okay. Can you identify for me a friend who
24 was a friend of yours prior to the October 18th and 17th
25 articles and who is -- and who is now not a friend as a

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I, ERIC ALBRITTON, have read the foregoing deposition and hereby affix my signature that same is true and correct, except as noted above.

ERIC ALBRITTON

THE STATE OF _____)
COUNTY OF _____)

Before me, _____, on this day personally appeared ERIC ALBRITTON, known to me (or proved to me under oath or through _____) (description of identity card or other document)) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this _____ day of _____, _____.

NOTARY PUBLIC IN AND FOR
THE STATE OF _____
COMMISSION EXPIRES: _____

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

REPORTER'S CERTIFICATION
DEPOSITION OF ERIC ALBRITTON
OCTOBER 27TH, 2008

I, TAMMY LEA STAGGS, Certified Shorthand Reporter in
and for the State of Texas, hereby certify to the
following:

That the witness, ERIC ALBRITTON, was duly sworn by
the officer and that the transcript of the oral
deposition is a true record of the testimony given by
the witness;

That the deposition transcript was submitted on
_____ to the witness or to the attorney
for the witness for examination, signature and return to

1 me by _____;

2 That the amount of time used by each party at the
3 deposition is as follows:

4 Mr. James A. Holmes - (0:00)

5 Mr. Charles L. Babcock - (2:38)

6 Mr. George L. McWilliams - (0:35)

7

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

11 FOR THE PLAINTIFF:
12 James A. Holmes, Esq.

13 FOR THE DEFENDANT, CISCO SYSTEMS, INC.:
14 Charles L. Babcock, Esq.

15 FOR THE DEFENDANT, RICHARD FRENKEL:
16 George L. McWilliams, Esq.
17 Nicole Peavy

18

19

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24 That \$ _____ is the deposition officer's charges
25 to the Defendant, Cisco Systems, for preparing the
original deposition transcript and any copies of
exhibits;

1 I further certify that I am neither counsel for,
2 related to, nor employed by any of the parties or
3 attorneys in the action in which this proceeding was
4 taken, and further that I am not financially or
5 otherwise interested in the outcome of the action.
6 certified to by me this 31st of October, 2008.

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Authentic Copy
The original certified
file was electronically signed
using RealLegal technology.

Tammy Lea Slaggs

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