

EXHIBIT B

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.

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 A. Okay.

2 Q. Do you understand that that is an obligation
3 that you as a plaintiff have to do in this case
4 regardless of who the judge is?

5 A. Well, I understand that Judge Snyder entered
6 an order in this case. If you'll show me the order -- I
7 don't remember the exact language. This is the first
8 time I've ever been in Judge Snyder's court in a civil
9 case, but I presume that there is an obligation to make
10 the damage disclosure.

11 Q. Okay. The damage disclosure that your lawyer
12 made, whether he was obligated to or not -- or maybe
13 he's just a good guy, but... (as read): Plaintiff does
14 not seek any economic damages. Plaintiffs -- plaintiff
15 seeks only an appropriate award of damages for his
16 mental anguish and punitive damages sufficient to detour
17 defendants from future misconduct. The amounts of these
18 awards are soundly in the discretion of the jury.

19 Is that -- is that the damages you're
20 seeking in this case?

21 A. Yes, sir.

22 Q. All right. And so you are not seeking any
23 economic damages at all?

24 A. I'm not seeking economic -- I'm not saying
25 that I can quantify money that I've lost as a result of

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. *

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

20

21

22

23

24 That \$_____ is the deposition officer's charges

25 to the Defendant, Cisco Systems, for preparing the

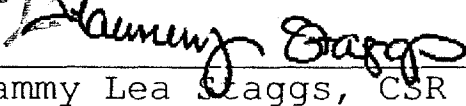
original deposition transcript and any copies of

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.

7
 8
 9
 10
 11
 12
 13
 14
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25

AUTHENTIC COPY
 The original certified
 file was electronically signed
 using RealLegal technology.



 Tammy Lea Staggs, CSR 7496
 Expiration Date: 12/31/2009
 Firm No. Dallas: 69 Houston: 373
 HG Litigation Services
 2501 Oak Lawn Avenue
 Suite 600
 Dallas, Texas 75219
 214.521.1188 Fax 214.521.1034
 1.888.656.DEP0