

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

ERIC ALBRITTON,

Plaintiff,

v.

CISCO SYSTEMS, INC., RICHARD
FRENKEL, MALLUN YEN and
JOHN NOH,

Defendants.

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Case No. 6:08-CV-89

**ORDER DENYING CISCO SYSTEMS, INC.’S MOTION FOR DISTRICT JUDGE
TO RECONSIDER MAGISTRATE JUDGE’S ORDER DENYING CISCO’S
MOTION TO COMPEL PRODUCTION OF DOCUMENTS**

The following are pending before the court:

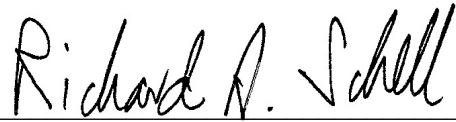
1. Cisco Systems, Inc.’s motion for District Judge to reconsider Magistrate Judge’s order denying Cisco’s motion to compel production of documents (docket entry #152);
2. Plaintiff’s opposition to Cisco Systems, Inc.’s motion for District Judge to reconsider Magistrate Judge’s order denying Cisco’s motion to compel production of documents (docket entry #184);
3. Cisco Systems, Inc.’s reply to Plaintiff’s response to Cisco’s motion for District Judge to reconsider Magistrate Judge’s order denying Cisco’s motion to compel production of documents (docket entry #200); and
4. Plaintiff’s sur-reply to Defendants’ motion for reconsideration (docket entry #224).

Having considered the Magistrate Judge’s January 15, 2009 order, the Defendants’ motion to reconsider and the responsive briefing thereto, the court finds that the motion to reconsider should be, and is hereby, **DENIED**.

In its motion to reconsider, Cisco seeks a court order requiring the Plaintiff to produce his medical records, although the Plaintiff has made it clear that he is not claiming medical expenses and has sought no medical treatment for his mental anguish allegedly arising from the blog posts. Also, Cisco seeks a court order requiring the Plaintiff to produce his tax returns, although the Plaintiff concedes that he is not seeking a loss of income. Therefore, the medical records and tax returns appear to be irrelevant.

IT IS SO ORDERED.

SIGNED this the 8th day of May, 2009.

Handwritten signature of Richard A. Schell in cursive script.

RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE