

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

ERIC M. ALBRITTON

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v.

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

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

CISCO SYSTEMS, INC.’S MOTION TO COMPEL PRODUCTION OF DOCUMENTS

TO THE HONORABLE JUDGE:

Defendant Cisco Systems, Inc. (“Cisco”) hereby files this Motion to Compel the Production of Documents (“Motion”) pursuant to Rule 37 of the Federal Rules of Civil Procedure, this Court’s Scheduling Order, and Local Rule 26(d) and would show the Court the following.

I. FACTUAL BACKGROUND

Eric Albritton (“Albritton”) alleges in his Original Complaint (“Complaint”) (a true and correct copy of the Complaint is attached as Exhibit A) that the Defendants published defamatory statements about Albritton that damaged his reputation and caused him “shame, embarrassment, humiliation, and mental pain and anguish.” (Exhibit A at ¶39). He alleges that he “has and will in the future be seriously injured in his business reputation, good name and standing in the community” and “ will, in all likelihood, be exposed to the hatred, contempt, and ridicule of the public in general as well as of his business associates, clients, friends and relatives.” Defendants bring this motion to seek discovery of documents related to those claims because Albritton refuses to produce them.