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

ERIC M. ALBRITTON	§	
	§	
	§	C. A. NO. 6:08-CV-00089
v.	§	JURY
	§	
CISCO SYSTEMS, INC. and	§	
RICK FRENKEL	§	

CISCO SYSTEMS, INC.'S NOTICE OF AMENDED SUBPOENA

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

Please take notice that Defendant Cisco Systems, Inc. will serve the attached Amended

Subpoena pursuant to Rules 30 and 45 of the Federal Rules of Civil Procedure on Cynthia Paar.

The Amended Subpoena requires Cynthia Paar's appearance at trial on September 14,

2009 at 9:00 a.m. at the United States District Court, 211 W. Ferguson Street, Tyler, Texas

75702.

Respectfully submitted,

JACKSON WALKER L.L.P.

By: /s/ Charles L. Babcock
    Charles L. Babcock
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    Suite 1900
    Houston, Texas 77010
    (713) 752-4200
    (713) 752-4221 – Fax

ATTORNEYS FOR DEFENDANT
CISCO SYSTEMS, INC.

CERTIFICATE OF SERVICE

This is to certify that on this 2nd day of July, 2009, a true and correct copy of the foregoing was served via electronic mail upon:

George L. McWilliams
406 Walnut
P.O. Box 58
Texarkana, Texas 75504-0058
Attorney for Defendant Richard Frenkel

James A. Holmes
605 South Main Street, Suite 203
Henderson, Texas 75654
Attorney for Plaintiff Eric Albritton

Patricia L. Peden
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5901 Christie Avenue
Suite 201
Emeryville, CA 94608
Attorney for Plaintiff Eric Albritton

Nicholas H. Patton
Patton, Tidwell & Schroeder, LLP
4605 Texas Boulevard
P.O. Box 5398
Texarkana, Texas 75505-5398
Attorney for John Ward, Jr.

/s/ Charles L. Babcock
Charles L. Babcock

UNITED STATES DISTRICT COURT
for the
Eastern District of Texas

ERIC M. ALBRITTON	)	
Plaintiff	)	
v.	)	Civil Action No. 6:08-CV-00089
CISCO SYSTEMS, INC.	)	
Defendant	)	

AMENDED
SUBPOENA TO APPEAR AND TESTIFY
AT A HEARING OR TRIAL IN A CIVIL ACTION

To: Cynthia Paar
      211 Ferguson, Tyler, Texas 75702

YOU ARE COMMANDED to appear in the United States district court at the time, date, and place set forth below to testify at a hearing or trial in this civil action. When you arrive, you must remain at the court until the judge or a court officer allows you to leave. If you are an organization that is *not* a party in this case, you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about the following matters, or those set forth in an attachment:

Place: United States District Court 211 W. Ferguson Street Tyler, Texas 75702	Courtroom No.:
	Date and Time: 09/14/2009 9:00 am

You must also bring with you the following documents, electronically stored information, or objects *(blank if not applicable)*:
The basic dictionary of events that you referenced in your deposition in this case, along with any other programming manuals for the ECF or Pacer System.

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Fed. R. Civ. P. 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: 07/02/2009

            CLERK OF COURT

                                                            OR

_____   *Charles L. Babcock* w/ permission by CJP
Signature of Clerk or Deputy Clerk   *Attorney's signature*

The name, address, e-mail, and telephone number of the attorney representing *(name of party)*   Cisco Systems, Inc.
_____ , who issues or requests this subpoena, are:

Charles L. Babcock
1401 McKinney Street, Suite 1900   cbabcock@jw.com
Houston, Texas 77010   713-742-4200

Civil Action No. 6:08-CV-00089

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

This subpoena for *(name of individual and title, if any)* _____

was received by me on *(date)* _____ .

    ❐ I personally served the subpoena on the individual at *(place)* _____

_____ on *(date)* _____ ; or

    ❐ I left the subpoena at the individual's residence or usual place of abode with *(name)*

_____ , a person of suitable age and discretion who resides there,

on *(date)* _____ , and mailed a copy to the individual's last known address; or

    ❐ I served the subpoena on *(name of individual)* _____ , who is

designated by law to accept service of process on behalf of *(name of organization)* _____

_____ on *(date)* _____ ; or

    ❐ I returned the subpoena unexecuted because _____ ; or

    ❐ Other *(specify):*

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of

$ _____ .

My fees are $ _____ for travel and $ _____ for services, for a total of $ 0.00   .

I declare under penalty of perjury that this information is true.

Date: _____

                                                  _____

                                                      Server's signature

                                                _____

                                                Printed name and title

                                                _____

                                                Server's address

Additional information regarding attempted service, etc: