

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

ERIC ALBRITTON,
Plaintiff

v.

CISCO SYSTEMS, INC., and
RICK FRENKEL,
Defendants

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CIVIL ACTION NO.: 6:08-CV-89

JURY TRIAL DEMANDED

AGREED MOTION TO EXTEND THE FILING OF A REVISED PRETRIAL ORDER

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

Plaintiff ERIC ALBRITTON and Defendants CISCO SYSTEMS, INC. AND RICHARD FRENKEL request the Court to modify the deadline in the Court's June 5, 2009 Order.

On June 5th the Court ordered that the parties undertake a good faith effort to do the following by July 5, 2009:

1. Reduce the number of exhibits and deposition excerpts that will be offered at trial.
2. Reduce the number of objections to the remaining exhibits and deposition excerpts that will be offered at trial.

The Court also ordered the parties to provide by July 5, 2009, a revised joint final pretrial order that would conform to the Court's various rulings in this matter. As part of the revised joint final pretrial order, the parties are to reduce the number of, and objections to, exhibits and deposition excerpts.

The parties would jointly request that the court extend the July 5, 2009 deadline to August 14, 2009. This extension is requested due to unforeseen events that have affected Plaintiff's counsel's ability to confer on the various issues prior to the July 5 date. The parties are cooperatively working to comply with the Court's order.

AGREED MOTION TO EXTEND THE DISCOVERY AND MOTION FOR SUMMARY JUDGMENT DEADLINES

The parties have been diligently working to revise their exhibits and deposition designations and do anticipate being able to reduce the number of exhibits and deposition designations to be offered at trial and to revise the pretrial order.

Respectfully submitted,

PATTON, TIDWELL & SCHROEDER, L.L.P.

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CERTIFICATE OF SERVICE

This is to certify that on this 6th day of July, 2009, a true and correct copy of the foregoing was served upon:

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