

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

ERIC M. ALBRITTON,

Plaintiff,

v.

(1) CISCO SYSTEMS, INC., (2) RICHARD  
FRENKEL, (3) MALLUN YEN and  
(4) JOHN NOH,

Defendants.

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NO. 6:08-CV-00089

**PLAINTIFF'S THIRD CORRECTED DESIGNATION OF TRIAL WITNESSES**

The following witnesses will be called live or via video tape deposition testimony:

1. Eric M. Albritton
2. Michelle L. Albritton
3. Peter McAndrews
4. Amie Mathis
5. Samuel Baxter
6. T. John Ward, Jr.
7. David J. Maland
8. Rhonda Lafitte
9. Jillian Powell
10. Kurt Pankratz
11. Bart Showalter
12. Kevin Meek
13. Otis Carroll
14. Richard Frenkel
15. Cisco Corporate Representative

May Call

16. Elizabeth DeRieux
17. Danny Williams
18. Lou Brucculeri
19. Shelly Moore
20. Marta Beckwith
21. Mark Chandler
22. Steve Schortgen



23. Michael Smith
24. Mallun Yen
25. John Noh
26. David Provines
27. Peggy Thompson
28. Robert M. Parker
29. Faye Thompson
30. Rachel Wilson
31. Cynthia Parr
32. Doug Kubehl
33. Charles Silver

Plaintiff reserves the right to call any witness identified by Defendants.

Respectfully submitted,

*/s/ Nicholas H. Patton*

Nicholas H. Patton  
State Bar No. 63035  
Patton, Tidwell & Schroeder, LLP  
4605 Texas Boulevard  
Texarkana, Texas 75503  
903.792.7080 / 903.792.8233 (Fax)

Patricia L. Peden  
LAW OFFICE OF PATRICIA L. PEDEN  
610 16th Street, Suite 400  
Oakland, California 94612  
Telephone: 510.268.8033

James A. Holmes  
Texas Bar No. 00784290  
THE LAW OFFICE OF JAMES HOLMES, P.C.  
635 South Main, Suite 203  
Henderson, Texas 75654  
903.657.2800 / 903.657.2855 (Fax)

ATTORNEYS FOR PLAINTIFF

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

**ERIC M. ALBRITTON,**

**Plaintiff**

**v.**

**CISCO SYSTEMS, INC. RICHARD  
FRENKEL, MAULLUN YEN and  
JOHN NOH,**

**Defendant**

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**No. 6:08cv00089**

**PLAINTIFF'S AMENDED TRIAL AND DEPOSITION  
TESTIMONY DESIGNATIONS**

DEPONENT	DATE	DESIGNATIONS
		<b>EXPECT TO BE OFFERED</b>
Eric Albritton	Oct. 27, 2008	154:12-14
David Maland	Nov. 3, 2008	9:11-17 11:6-13:2 14:19-16:1 16:11-21 17:1-19:4 19:9-20:9 21:13-22:15 23:6-9 24:3-12 26:16-18 26:22-27:4 28:8-29:8 29:18-30:4 31:7-32:1 33:4-24 36:8-37:6

DEPONENT	DATE	DESIGNATIONS
		38:2-16
		38:21-39:6
		39:13-40:20
		40:22-41:2
		41:7-11
		41:22-52:25
		54:16-55:15
		56:16-57:1
		59:8-15
		61:15-23
		64:17-66:7
		66:13-68:25
		69:20-71:8
		76:21-78:2
		84:1-5
		84:25-85:12
		86:16-87:21
		89:20-92:8
		92:23-24
		96:17-25
		98:24-99:18
		100:1-101:25
		108:3-109:5
		110:6-24
		110:25-111:20
		112:14-24
		118:17-119:6
		120:2-14
		120:18-25
		122:10-16
		122:24-123:13
		126:20-127:17
		135:23-140:8
		140:16-141:17
		142:3-19
		143:3-145:5
		146:5-148:4
		148:6-13
		149:7-18
		149:21-150:17
		150:24-152:19
		152:22-153:25
		154:3-154:18
		155:10-17
		155:21-156:24

DEPONENT	DATE	DESIGNATIONS
		157:3-25 158:1-159:11 159:12-161:11 162:6-163:17 163:18-165:6 165:16-20 168:12-175:25 176:12-180:14 181:5-182:24 183:9-183:13 184:8-25 187:8-16 187:21-188:7 189:5-191:5 192:10-193:14 193:18-194:1 199:9-21 199:25-200:23
Shelly Moore	Nov. 3, 2008	5:17-6:3 6:19-7:2 7:7-21 8:8-21 9:16-25 10:1-6 10:7-24 11:13-24 11:25-12:6 12:7-22 16:12-20 16:8-11 16:21-17:6 17:7-21 20:12-21 21:3-11 23:4-8 24:16-28:18
Cynthia Paar	Nov. 3, 2008	5:16-6:4 6:5-5 6:15-24 6:25-7:18 7:19-21 7:22-8:8 8:9-9:1

DEPONENT	DATE	DESIGNATIONS
		9:2-10:11 <b>10:12-22</b> 13:5-14:22 15:25-18:9 19:2-10 19:13-15 19:17-19 19:22-23 19:25 20:2-5 20:8 20:9-20:15 20:18-22 20:24 21:2-5 23:8-23:16 23:18-25:3 25:6-19 27:25-28:21
Peggy Thompson	Nov. 3, 2008	5:16-22 6:15-7:2 7:10-8:19 <b>8:20-9:11</b> <b>10:9-11:12</b> 11:13-12:24 13:20-14:15 15:11-20 <b>15:21-16:11</b> 19:2-15 <b>19:16-20:4</b> 20:14-26:7 26:22-27:11 27:18
Rhonda Lafitte	Nov. 3, 2008	5:17-21 6:13-7:10 7:21-8:21 22:24-23:4 23:8-24:4
David Provines	Nov. 3, 2008	5:16-6:10 8:3-9:23 10:11-14 10:11-11:20

DEPONENT	DATE	DESIGNATIONS
		12:10-13:20 13:21-14:3 22:25-23:14 23:15-25:2 25:3-9 29:12-24 29:25-30:8 30:9-31:9 31:13-33:25 34:1-17 34:23-35:18 36:6-37:20 38:2-14 38:15-41:5 41:23-45:18 46:3-8 46:11-48:19 49:2-4 49:12-50:17
Rachel Wilson	Nov. 3, 2008	5:16-6:2 7:12-16 10:12-23
Faye Thompson	Nov. 3, 2008	5:16-6:6 6:13-15 6:22-8:25 12:5-16:5
Peter McAndrews	Nov. 7, 2008	9:12-16:20 18:10-21:23 25:20-27:17 28:14-30:19 31:6-13 32:9-33:11 36:11-37:4 43:17-47:18 48:13-49:22 53:9-55:11 55:12-56:18 65:17-71:5 71:6-9 78:5-81:2 79:4-81:2

DEPONENT	DATE	DESIGNATIONS
		<p>81:5-9  82:8-14  82:18-23  83:19-84:19  87:6-17  87:18-21  88:16-91:15</p>
<p>Mallun Yen  (as an individual and in her  capacity as a Rule 30(b)(6)  witness for Defendant Cisco).</p>	<p>Nov. 17, 2008</p>	<p>7:19-20  8:14-9:21  10:1-11:7  17:8-21  19:15-20:9  45:21-46:21  68:16-24  69:1-70:10  72:19-74:23  75:3-80:19  80:23-81:2  81:6-81:11  84:2-85:3  86:5-11  86:13-87:1  88:8-93:2  93:13-96:24  97:19-98:20  99:6-13  99:18-100:4  100:7-101:7  101:8-10  101:21-102:11  103:12-105:18  108:24-109:14  109:19-118:16  108:24-109:14  109:19-20  111:11-12  112:2-6, 14-17, 20-24  113:1-118:16  118:20-21  119:11-121:24  123:7-8, 11-12, 14-16  124:1-15  125:18-129:1</p>



DEPONENT	DATE	DESIGNATIONS
		133:19-135:1 136:14-17, 23-25 179:1-6 179:7-180:17 181:3-5 181:18-185:11 186:22-190:23 191:15-192:5 193:8-194:3 195:5-195:14 196:20-21 197:16-202:16 203:4-16 203:23-206:1 207:1-18 207:19-24 208:8-209:2 209:13-210:2 210:17-213:15 213:18-214:4 214:8-19 215:20-216:3 216:24-218:24 219:3-222:3 222:12-228:4 228:19-229:3 229:4-230:6 230:17-19 231:4-18 231:20-23 232:17-233:5 233:23-234:23 241:19-242:16 245:24-247:12 249:18-24 250:4-251:6 251:7-255:4 255:12-24 257:9-24
John Noh	Nov. 17, 2008	7:10-11 7:25-8:18 10:12-11:5 12:23-14:1

DEPONENT	DATE	DESIGNATIONS
		14:13-15:5
		15:14-17:22
		20:22-23:1
		24:6-8
		24:20-25:5
		29:7-20
		32:16-34:18
		35:9-23
		36:2-6
		36:15-37:4
		37:5-10
		37:21-38:18
		38:21-40:21
		41:7-42:9
		43:10-44:22
		46:20-47:14
		48:17-49:11
		49:24-50
		55:15-56:15
		56:16-21
		57:2-5
		60:10-61:25
		65:24-66:7
		66:15-17
		73:6-13
		78:18-21
		80:9-17
		80:24-82:13
		86:12-17
		91:20-24
		97:21-98:14
		98:17-99:2
		98:15-16
		103:1-103:25
		104:20-106:25
		107:19-108:19
		110:19-21
		111:3-10
		114:16-20
		118:15-122:7
		124:4-16
		125:10-126:14
		126:21-24
		127:12-129:2
		134:12-18

DEPONENT	DATE	DESIGNATIONS
		135:9-136:6 138:19-139:21 140:25-141:22
Mark Chandler (as an individual and in his capacity as a Rule 30(b)(6) witness for Defendant Cisco).	Nov. 18, 2008	10:7-8 10:21-11:11 15:9-15 15:23-25 34:6-15 <b>34:17-22, 24-25</b> 36:7-37:1 56:6-57:20 58:6-58:12 76:13-77:21 87:24-88:9 91:19-93:10 94:4-97:11 97:22-98:4
Richard Frenkel (as an individual and in his capacity as a Rule 30(b)(c) witness for Defendant Cisco).	Nov. 18, 2008	7:9-10 8:19-9:10 11:5-22 12:20-13:1 18:16-18 20:4-9 24:23-26:12 <b>26:13-14</b> 27:23-28:23 29:21-32:7 34:3-35:23 37:25-39:8 39:9-15 40:10-45:12 45:23-47:18 48:7-14 49:3-11 <b>49:13-18</b> <b>49:21-50:19</b> 51:4-52:14 <b>52:17</b> <b>52:20-21</b> <b>53:16-21</b> 54:1-22

DEPONENT	DATE	DESIGNATIONS
		55:5-56:13
		56:16-19
		56:23
		57:10-22
		58:7-59:8
		73:20-25
		74:2-9
		76:2-20
		76:22-24
		77:3-4
		79:20-80:25
		81:1-16
		82:3-5
		82:19-85:3
		85:10-86:7
		87:8-88:9
		90:3-92:2
		94:20-95:11
		96:23-97:17
		101:5-102:3
		107:11-20
		112:20-23
		113:19-117:24
		121:10-16
		122:4-123:14
		124:7-12
		125:1-3
		125:4-9
		125:22-126:6
		128:17-21
		129:15-21
		130:20-131:14
		131:15-17
		131:19-22
		131:24-132:14
		132:23-133:11
		133:16-20
		137:2-17
		141:1-144:21
		149:15-151:4
		152:6-16
		152:25-153:14
		154:3-4
		155:4-7
		155:15-16

DEPONENT	DATE	DESIGNATIONS
		155:23-156:16 157:19-158:7 158:8-154:1
Marta Beckwith	Nov. 19, 2008	7:8-8:23 9:7-12:15 14:22-15:15 16:17-17:5 17:10-17:21 18:9-19:4 19:19-21 20:1-10, 13-15 21:23-24 22:2-17 22:18-24:14 25:6-25 26:7-15 26:22-31:10 31:16-32:8 32:15-33:1 34:7-12 35:9-18 36:10-37:24 39:18-41:25 43:17-25 46:25-47:9 50:18-53:10 57:18-58:2 58:17-20, 24-25 59:1-25 60:12-62:20 63:8-64:15 64:21-66:7 67:9-10 68:19-70:12 70:18-71:7 72:7-24 73:15-75:3
Kurt Pankratz	Nov. 24, 2008	5:3-4 5:10-17 27:1-21 28:3-7 28:19-29:8 28:19-29:3

DEPONENT	DATE	DESIGNATIONS
		29:24-30:17 34:4-35:15
Douglas Kuehl	Nov. 24, 2008	4:19-20 34:12-35:12
		<b>MAY BE OFFERED</b>
Mallun Yen (as an individual and in her capacity as a Rule 30(b)(6) witness for Defendant Cisco).	Nov. 17, 2008	27:1-5 36:5-41:11 45:18-20 63:15-64:4 74:24-75:2 93:12 109:15-18 185:12-18 196:10-19 218:25-291:2 249:25-250:3 251:7-255:4 255:12-24 257:9-24
John Noh	Nov. 17, 2008	38:19-20 40:22-25 101:12-102:22 124:17-125:9
Mark Chandler (as an individual and in his capacity as a Rule 30(b)(6) witness for Defendant Cisco).	Nov. 18, 2008	88:16-91:18
Marta Beckwith	Nov. 19, 2008	17:22-18:8 20:11-12 58:13-16 58:21-23 70:13-17 71:8-72:6 72:13-16, 19-20 88:18-89:9

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

**ERIC M. ALBRITTON,**

**Plaintiff**

**v.**

**CISCO SYSTEMS, INC. RICHARD  
FRENKEL, MAULLUN YEN and  
JOHN NOH,**

**Defendant**

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**No. 6:08cv00089**

**PLAINTIFF'S CROSS-DEPOSITION TESTIMONY DESIGNATIONS**

<b>DEPONENT</b>	<b>DATE</b>	<b>DEFENDANTS' DESIGNATIONS</b>	<b>PLAINTIFF'S CROSS-DESIGNATIONS</b>
David Maland	Nov. 3, 2008	Page 9, lines 5 – 17 Page 14, line 19 through Page 15, line 19 Page 16, lines 19 - 21 Page 17, lines 1 - 11 Page 18, lines 21 -25 Page 20, lines 17 -19 Page 20, line 22 through Page 21, line 5 Page 25, line 21 through Page 26, line 2 Page 26, lines 9 - 18 Page 26, line 22 through Page 27, line 7 Page 28, line 8 through Page 29, line 3 Page 29, lines 9 – 12 Page 29, line 18 through Page 31, line 1 Page 32, lines 6 – 19 Page 33, line 4 through Page 34, line 3 Page 34, lines 17 – 24 Page 38, line 21 through Page 39, line 1 Page 41, line 12 through Page 42, line 2 Page 42, line 10 through Page 45, line 5 Page 47, lines 23 through Page 48, line 6 Page 54, line 7 through Page 55, line 1	11:6-13:2 15:20-16:1 17:13-18:20 19:1-20:2 21:13-22:15 23:1-14 24:3-12 27:10-16 29:4-8 31:7-32:1 34:3-17 34:25-38:16 39:2-41:11 45:6-47:22 48:8-50:11 51:2-52:25 55:2-13 56:21-24 57:14-19 59:8-14 61:13-23

	Page 55, line 24 through Page 56, line 20 Page 56, line 25 through Page 57, line 13 Page 57, line 20 through Page 58, line 17 Page 61, lines 6 - 12 Page 63, line 21 through Page 64, line 10 Page 65, lines 12-19 Page 67, lines 5 - 10 Page 67, lines 16 - 22 Page 71, line 9 through Page 72, line 2 Page 73, lines 3 - 13 Page 74, line 20 through Page 76, line 25 Page 78, lines 6 – 15 Page 78, line 16 through Page 79, line 9 Page 79, lines 15-18 Page 79, line 24 through Page 80, line 5 Page 81, line 19 through Page 82, line 14 Page 84, lines 10 - 24 Page 87, line 22 through Page 88, line 11 Page 88, line 17 through Page 89, line 11 Page 93, line 24 through Page 94, line 9 Page 94, line 24 through Page 95, line 1 Page 95, line 15 through Page 96, line 13 Page 97, lines 7 - 22 Page 98, line 24 through Page 99, line 18 Page 110:2-4 Page 114, line 20 through Page 116, line 1 Page 117, lines 5-15 Page 118, lines 1-15 Page 119, line 14 through Page 120, line 1 Page 120, lines 18 - 25 Page 121, lines 10 - 17 Page 122, lines 20 - 23 Page 125, line 10 through Page 126, line 13 Page 127, lines 18 - 21 Page 127, lines 23 - 24 Page 130, lines 20 – 23 Page 131, lines 4 - 21 Page 170, line 8 through Page 171, line 2 Page 185, lines 6-13 Page 185, lines 23-25 Page 188, lines 2-24 Page 191, line 9 through 192, line 5 Page 194, lines 8 - 12 Page 196, lines 17 - 22	64:17-65:11 65:20-66:1 66:8-16 66:21-67:4 67:23-68:25 69:11-16 69:20-70:3 70:6-71:8 77:1-78:2 80:6-81:18 82:15-83:5 84:1-9 84:25-87:21 88:12-16 89:12-19 89:20-93:23 94:11-17 96:17-96:25 100:1-19 100:21-101:25 108:3-109:5 110:6-112:3 112:14-24 114:14-19 116:2 118:16-119:13 120:2-14 122:10-19 122:24-123:13 123:23-124:18 126:20-127:17 129:6-130:19 130:24-131:3 134:10-140:8 140:16-141:17 141:18-142:19 143:3-145:5 146:5-148:4 148:6-13 149:7-18 149:21-152:19 152:22-153:25 154:3-155:17 155:21-156:24 157:3-161:11 161:17-165:10
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			165:13-14 165:16-20 168:12-175:25 176:12-180:14 181:5-182:24 183:9-24 187:8-16 187:21-188:1 188:25-191:8 192:10-193:14 194:2-5 199:9-21 199:25-200:19 200:21-23
Shelly Moore	Nov. 3, 2008	Page 5, line 11 through Page 6, line 3 Page 7, line 3 through Page 8, line 21 Page 9, line 16 through Page 10, line 24 Page 11, line 25 through Page 14, line 2 Page 14, line 15 through Page 19, line 9 Page 20, lines 3-21 Page 22, lines 3-16 Page 23, line 4 through Page 24, line 12	6:19-7:2 7:22-8:7 11:4-6 11:13-24 14:3-5 19:10-20:2 20:22-21:1 24:16-28:9
Cynthia Paar	Nov. 3, 2008	Page 5, line 10 through Page 6, line 6 Page 6, line 15 through Page 7, line 24 Page 8, line 9 through Page 9, line 9 Page 9, lines 23-24 Page 10, lines 12-22 Page 13, line 5 through Page 15, line 14 Page 18, lines 3-6 Page 23, lines 8 - 14 Page 26, line 18 through Page 27, line 2	7:25-8:8 9:10-22 10:23-11:15 15:25-16:24 17:1-17:12 17:15-18:2 18:7-9 19:2-10 19:13-15 19:17-19 19:22-23 19:25 20:2-5 20:08-15 20:18-22 20:24 21:2-5 23:15-16 25:6-19 25:25-26:3 27:25-28:15 28:17-21

Rhonda Lafitte	Nov. 3, 2008	Page 5, lines 11 - 21 Page 6, line 13 through Page 8, line 21 Page 15, line 24 through Page 16, line 2 Page 16, lines 5 - 10 Page 16, lines 13 - 20 Page 16, lines 22 - 24 Page 17, lines 13 - 17 Page 18, lines 2 - 5 Page 21, lines 3 - 23	8:22-9:11 12:5-9 13:10-12 14:13-25 15:5-8 16:11-12 16:25-17:12 17:18-18:1 18:6-24 19:24-25 22:24-23:4 23:8-24:4
David Provines	Nov. 3, 2008	Page 5, lines 10-20 Page 5, line 23 through Page 6, line 10 Page 6, line 21 through Page 7, line 20 Page 8, line 3 through Page 9, line 13 Page 10, line 11 through Page 12, line 9 Page 12, line 20 through Page 14, line 2 Page 16, line 20 through Page 17, line 16 Page 21, line 12 through Page 22, line 11 Page 22, line 25 through Page 25, line 2 Page 27, line 2 through Page 28, line 2 Page 28, lines 10 - 14 Page 30, line 9 through Page 31, line 9 Page 40, lines 13-20 Page 49, line 12 through Page 50, line 17	7:21-8:2 9:14-25 12:10-19 16:12-19 18:5-15 19:18-25 22:15-18 25:3-15 25:25-26:20 28:15-23 29:5-24 31:13-33:25 34:12-17 36:6-9 36:12-14 36:17-37:6 37:9-38:1 38:15-40:12 41:23-45:18 46:13-16 46:19-22 46:24 47:8-48:19
Rachel Wilson	Nov. 3, 2008	Page 5, line 10 through Page 6, line 2 Page 7, line 12 through Page 9, line 14 Page 15, line 9 through Page 16, line 1 Page 11, lines 2-7	6:23-7:11 10:12-23 14:18-15:8
Faye Thompson	Nov. 3, 2008	Page 5, lines 10 - 17 Page 5, line 20 through Page 6, line 6	11:4-9 12:5-14:14

		Page 6, lines 13 – 15 Page 6, line 22 through Page 11, line 3 Page 10, line 24 through Page 11, line 3	14:16 14:18-19 14:21 14:23-15:11 15:14-16 15:19-20 15:22-24 16:1 16:3-5
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Respectfully submitted,




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Nicholas H. Patton  
SBN: 15631000  
PATTON, TIDWELL & SCHROEDER, LLP  
4605 Texas Boulevard  
P. O. Box 5398  
Texarkana, Texas 7550505398  
(903) 792-7080      (903) 792-8233 (fax)

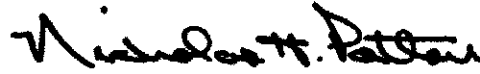
Patricia L. Peden  
LAW OFFICE OF PATRICIA L. PEDEN  
610 16th Street, Suite 400  
Oakland, California 94612  
Telephone: 510.268.8033

James A. Holmes  
Texas Bar No. 00784290  
THE LAW OFFICE OF JAMES HOLMES, P.C.  
635 South Main, Suite 203  
Henderson, Texas 75654  
903.657.2800 / 903.657.2855 (Fax)

ATTORNEYS FOR PLAINTIFF

**CERTIFICATE OF SERVICE**

I hereby certify that counsel for Defendants are being served with a copy of this document via e-mail on this 19<sup>th</sup> day of February, 2009.

A handwritten signature in black ink, appearing to read "Nicholas H. Patton". The signature is written in a cursive style with a prominent initial "N".

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Nicholas H. Patton