

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

ERIC ALBRITTON,
PLAINTIFF.

v.

CISCO SYSTEMS, INC. AND
RICHARD FRENKEL,
DEFENDANTS.

§
§
§
§
§
§
§
§
§
§

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

JURY TRIAL DEMANDED

**DEFENDANT CISCO SYSTEMS, INC. AND RICHARD FRENKEL'S
RULE 26(A) DISCLOSURES (AS MODIFIED BY THE COURT'S ORDER
FOR SCHEDULING CONFERENCE)**

TO: Plaintiff Eric Albritton, by and through his attorney of record, James A. Holmes, 605 South Main Street, Suite 203, Henderson, Texas 75654.

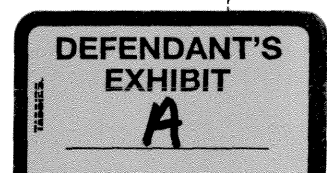
Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, Defendant Cisco Systems, Inc. and Richard Frenkel serve the following initial disclosures.

(A) The name, and if known, the address and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information.

1. **Richard Frenkel**
c/o George L. McWilliams
406 Walnut
P.O. Box 58
Texarkana, Texas 75504-0058
(903) 277-0098

This individual was the author of the website posting at issue and therefore has knowledge regarding the posting and events surrounding the posting.

2. **Mallun Yen**
Cisco Systems, Inc.
c/o Jackson Walker L.L.P.
1401 McKinney



Suite 1900
Houston, Texas 77010
(713) 752-4200

This individual has knowledge of the website posting at issue.

3. John Noh
Cisco Systems, Inc.
c/o Jackson Walker L.L.P.
1401 McKinney
Suite 1900
Houston, Texas 77010
(713)752-4200

This individual has knowledge of the website posting at issue.

4. Dennis Crouch
University of Missouri School of Law
203 Hulston Hall 203
Columbia, MO 65311
(573)882-6530

Richard Frenkel learned about the events referenced in the website posting at issue in part from reading a blog written by this individual.

5. David Maland
211 West Ferguson Street, Room 106
Tyler, Texas 75702
(903)590-1000

This individual may have information concerning the filing of the lawsuit referenced in the website posting at issue.

6. Clerks of the Court of the Eastern District of Texas
211 West Ferguson Street, Room 106
Tyler, Texas 75702
(903)590-1000
7. Rhonda LaFitte
500 N. State Line Avenue
P.O. Box 2090
Texarkana, Texas 75504
(903)794-8561

This individual is or was a clerk of the Eastern District of Texas and may have information concerning the filing of the lawsuit referenced in the website posting at issue.

8. Mae Velvin
500 N. State Line Avenue
P.O. Box 2090
Texarkana, Texas 75504
(903)794-8561

This individual is or was a clerk of the Eastern District of Texas and may have information concerning the filing of the lawsuit referenced in the website posting at issue.

9. Eric Albritton
c/o James Holmes
605 South Main Street, Suite 203
Henderson, Texas 75654

This individual has knowledge concerning the filing of the lawsuit referenced in the website posting at issue.

10. John Ward Jr.
P.O. Box 1231
Longview, Texas 75606
(903) 575-2323

This individual has knowledge concerning the filing of the lawsuit referenced in the website posting at issue.

11. Kurt Pankratz
Baker Botts L.L.P.
2001 Ross Avenue
Dallas, Texas 75201-2980
(214)953-6500

This individual has knowledge concerning the filing of the lawsuit referenced in the website posting at issue.

12. Bart Showalter
Baker Botts L.L.P.
2001 Ross Avenue
Dallas, Texas 75201-2980
(214)953-6500

This individual has knowledge concerning the filing of the lawsuit referenced in the website posting at issue.

13. Kevin Meek
Baker Botts L.L.P.

**2001 Ross Avenue
Dallas, Texas 75201-2980
(214)953-6500**

This individual has knowledge concerning the filing of the lawsuit referenced in the website posting at issue.

- 14. Jillian Powell
Baker Botts L.L.P.
2001 Ross Avenue
Dallas, Texas 75201-2980
(214)953-6500**

This individual has knowledge concerning the filing of the lawsuit referenced in the website posting at issue.

- 15. Steve Shortgen
Baker Botts L.L.P.
2001 Ross Avenue
Dallas, Texas 75201-2980
(214)953-6500**

This individual has knowledge concerning the filing of the lawsuit referenced in the website posting at issue.

- 16. Michael Smith
115 N. Wellington, Suite 200
Marshall, Texas 75670
(903)935-1797**

This individual corresponded with Mr. Frenkel concerning the filing of the lawsuit reference in the website posting at issue and may have knowledge regarding the filing of the lawsuit.

- 17. Names and addresses unknown**

The individuals with knowledge of the reputation of Eric Albritton are unknown at this time, and Defendants reserve the right to supplement the names of those individuals.

(B) A copy of, or a description by category and location of, all documents, electronically stored information, and tangible things that are in the possession, custody, or control of the party and that are relevant to the claims or defenses of any party, unless solely for impeachment.

The parties have agreed in writing to exchange documents at their respective offices.

(C) A computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered.

Defendant Cisco Systems, Inc. is not claiming any damages in this lawsuit.

(D) For inspection and copying as under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy all or part of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment.

Cisco has or will make a claim on an insurance policy with AIG. A copy will be produced to all counsel.

Defendants reserve the right to supplement or amend these disclosures as provided under the Federal Rules of Civil Procedure.

Respectfully submitted,

JACKSON WALKER L.L.P.

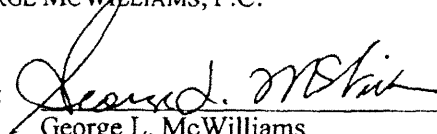
By: Charles L. Babcock ^{w/permission} by CJP

Charles L. Babcock
Federal Bar No.: 10982
Email: cbabcock@jw.com
Richard E. Griffin
Arkansas Bar No.: 63020
Email: rgriffin@jw.com
Crystal J. Parker
Federal Bar No.: 621142
Email: cparker@jw.com
1401 McKinney
Suite 1900
Houston, Texas 77010
(713) 752-4200
(713) 752-4221 – Fax

ATTORNEYS FOR DEFENDANT
CISCO SYSTEMS, INC.

GEORGE McWILLIAMS, P.C.

By:



George L. McWilliams

Texas Bar No: 13877000

GEORGE L. McWILLIAMS, P.C.

406 Walnut

P.O. Box 58

Texarkana, Texas 75504-0058

(903) 277-0098

(870) 773-2967—Fax

Email: glmlawoffice@gmail.com

ATTORNEY FOR DEFENDANT
RICK FRENKEL

CERTIFICATE OF SERVICE

This is to certify that on this 2nd day of June, 2008, a true and correct copy of the foregoing was served 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

*Charles L. Babcock w/ permission
by CGP*

Charles L. Babcock