



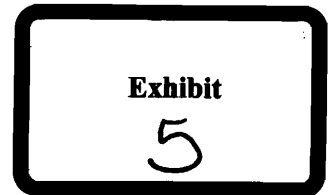
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July 28, 2009

David J. Maland
U.S. District Clerk
United States District Court
Eastern District of Texas
211 W. Ferguson St.
Tyler, Texas 75702

Thomas E. Gibson, AUSA
Bob Wells, AUSA
Administrative Office of the
United States Courts
Washington, DC 20544



Re: C.A. No. 6:08-CV-00089; *Eric M. Albritton v Cisco Systems, Inc., et al.*, In the
United States District Court for the Eastern District of Texas, Tyler Division

Dear Messrs. Maland, Gibson and Wells:

We received Mr. Maland's letter dated July 9, 2009 regarding Cynthia Paar's amended subpoena. We write to supplement the letter we sent you on July 1, 2009 regarding testimony of the Clerks at trial of the above-referenced lawsuit.

As we indicated in our prior letter, we will seek testimony regarding the programming of the Court's ECF system with respect to filing dates, including what Ms. Paar referred to as a "dictionary" of events in her deposition, among the other issues identified in our letter. Accordingly, we served an amended subpoena on Ms. Paar requesting that she bring the "dictionary" of events she referenced at her deposition to trial. We believe that the "dictionary" of events is crucial to the determination of important issues in this case, including Plaintiff's allegation in this lawsuit that there was a glitch in the ECF system. According to Ms. Paar, the dictionary of events controls the programming of the system and shows that in the incident at issue, the ECF system worked just like it is programmed to work.

Again, we ask that you consider this matter carefully and that you do not oppose the subpoenas. Moreover, as you know, it is your burden to seek relief from the Court in the event Mr. Maland continues to "decline" the subpoenas, and the Clerks will be in contempt of court if they refuse to comply. We would be glad to discuss this matter with you, but we need to resolve this matter quickly so that, if the Court is required to address the issue, it has sufficient time to do

David Maland
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so before trial on September 14, 2009. We had requested a response to our prior letter by July 15, 2009, but have not received a response. We would appreciate a response by August 7, 2009 so that any issues may be resolved by the Court prior to trial.

Very truly yours,

Charles L. Babcock w/ permission
by CJP

Charles L. Babcock

and

George L. McWilliams w/ permission
by CJP

George L. McWilliams

cc: Nicholas H. Patton
James A. Holmes
Patricia L. Peden