

*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 SECOND SUPPLEMENTAL DISCLOSURES**

**TO:** Cisco Systems, Inc., Mallun Yen and John Noh, by and through their attorney of record, Mr. Charles Babcock, 1401 McKinney, Suite 1900, Houston, Texas 77010 and Richard Frenkel, by and through his attorney of record, Mr. George McWilliams, P.O. Box 58, Texarkana, Texas 75504-0058.

**COMES NOW, ERIC ALBRITTON**, Plaintiff in the above captioned and numbered cause, and make the following Second Supplemental Disclosures pursuant to Rule 26(a)(1), Fed. R. Civ. P., and the Order of the Court:

***I.***

***PERSONS LIKELY TO HAVE DISCOVERABLE INFORMATION RELEVANT  
TO THE CLAIMS AND DEFENSES OF ANY PARTY***

1. The plaintiff, Mr. Eric Albritton, who may be contacted through his attorney, Mr. James Holmes of Henderson, Texas.
2. Various current and former employees of Cisco Systems, Inc. including Ms. Marta Beckwith, Mr. Michael Ritter, Mr. John Corcoran, Mr. Dan Lang, Mr. Mark Michels, Mr. Mark Chandler, Mr. Neal Rubin and Mr. Matthew Tanielian.
3. Mr. Bart Showalter, Mr. Kurt Pankratz, Ms. Jillian Powell, Mr. Steve Schortgen and Mr. Kevin Meek of Baker Botts, LLP, all of whom have knowledge of various communications with Defendants regarding the filing of the ESN case.

*Ex. A*

4. Mr. Michael M. Smith, Siebman, Reynolds, Burg, Phillips & Smith, LLP, 713 South Washington Avenue, Marshall, Texas 75670 who communicated with Frenkel about his allegations against Eric Albritton. He also has knowledge of the Local Rules for the Eastern District of Texas, the operating procedures of the clerk's office, the discussions of the Committee on Local Rules and the reputation of Eric Albritton.
5. Mr. Michael Barclay, Wilson Sonsimi Goodrich & Rosati, 650 Page Mill Road, Palo Alto, California 94304, who communicated with Frenkel about his allegations against Eric Albritton.
6. Mr. Mark Weinstein, White & Case, LLP, 3000 El Camino Real, 5 Palo Alto Square, 9<sup>th</sup> Floor, Palo Alto, California 94306, who communicated with Frenkel about his allegations against Eric Albritton.
7. The Co-Defendant, Mr. Richard Frenkel who may be contacted through his attorney, Mr. George McWilliams of Texarkana, Texas.
8. The Co-Defendant, Ms. Mallun Yen who may be contacted through her attorney, Mr. Charles Babcock of Houston, Texas.
9. The Co-Defendant, Mr. John Noh who may be contacted through his attorney, Mr. Charles Babcock of Houston, Texas.
10. Mr. T. John Ward, Jr., who has knowledge of the facts surrounding the filing of the ESN litigation, the falsity of Defendants' allegations, the Plaintiffs professional reputation and Plaintiff's damages. Mr. Ward may be contacted through his counsel, Mr. Nick Patton of Texarkana, Texas.
11. Mr. David J. Maland, Clerk of the United States District Court for the Eastern District of Texas, 106 William Steger Federal Building, 211 W. Ferguson Street, Tyler, Texas 75702, who has knowledge of the facts surrounding the filing of the ESN litigation, the electronic filing system for the Eastern District of Texas, the reputation of the Court and Plaintiff's abilities and reputation.
12. David Provines, Deputy Clerk of the United States District Court for the Eastern District of Texas, 106 William Steger Federal Building, 211 W. Ferguson Street, Tyler, Texas 75702, who has knowledge of the facts surrounding the filing of the ESN litigation, the electronic filing system for the Eastern District of Texas, the reputation of the Court and Plaintiff's abilities and reputation.
13. Peggy Thompson, Deputy Clerk of the United States District Court for the Eastern District of Texas, 106 William Steger Federal Building, 211 W. Ferguson Street, Tyler, Texas 75702, who has knowledge of the facts surrounding the filing of the ESN litigation, the electronic filing system for the Eastern District of Texas, the reputation of the Court and Plaintiff's abilities and reputation.

14. Shelly Moore, Deputy Clerk of the United States District Court for the Eastern District of Texas, 500 State Line Ave., Texarkana, Texas 75501, who has knowledge of the facts surrounding the filing of the ESN litigation, the electronic filing system for the Eastern District of Texas, the reputation of the Court and Plaintiff's abilities and reputation.
15. Ms. Amie Mathis, former legal assistant to Eric Albritton, who has knowledge of the filing of the ESN litigation, the Plaintiff's reputation and the Plaintiff's damages. Ms. Mathis may be contacted through her attorney, Mr. Greg Love, 109 West Tyler, Longview, Texas.
16. Mr. Peter McAndrews of McAndrews, Held & Malloy of 500 West Madison Street, 34<sup>th</sup> Floor, Chicago, Illinois 60661. Mr. McAndrews is co-counsel with the Plaintiff in the ESN litigation and has knowledge of the filing of the ESN case as well as the Plaintiff's reputation and abilities and the impact of the defamatory statements made by Defendants.
17. Ms. Elizabeth DeRieux, P.O. Box 2649, Longview, Texas 75606. Ms. DeRieux has knowledge of the professional reputation and integrity of the Plaintiff.
18. Mr. Robert M. Parker, Parker, Bunt & Ainsworth, P.C., 100 E. Ferguson Street, Suite 1114, Tyler, Texas 75702. Mr. Parker has knowledge of the professional reputation and integrity of the Plaintiff.
19. Mr. Samuel Baxter, P.O. Box O, Marshall, Texas 75671-0290. Mr. Baxter has knowledge of the professional reputation and integrity of the Plaintiff.
20. Mr. Danny Williams, Williams, Morgan & Amerson, 10333 Richmond Ave. #1100, Houston, Texas 77042. Mr. Williams has knowledge of the professional reputation and integrity of the Plaintiff.
21. Mr. Louis Brucculeri, Wong Cabello Lutsch Rutherford Brucculeri, 20333 S.H. 249, Suite 600, Houston, Texas 77070. Mr. Brucculeri has knowledge of the professional reputation and integrity of the Plaintiff and had discussions with Defendant Yen concerning the defamatory statements.
22. Mr. Otis Carroll, Jr., P.O. Box 7879, Tyler, Texas 75711-7879. Mr. Carroll has knowledge of the professional reputation and integrity of the Plaintiff.
23. Mr. John A. Albritton. Father of the Plaintiff. Mr. Albritton has knowledge of the impact this matter has had on Plaintiff.
24. Mrs. Michelle L. Albritton, wife of the Plaintiff. Mrs. Albritton has knowledge of the impact this matter has had on Plaintiff.

25. Scott E. Stevens, Stevens Law Firm. P.O. Box 807, Longview, Texas 75606-0807. Mr. Stevens is a colleague and friend and has knowledge of the impact this matter has had on Plaintiff.

*II.*

***DOCUMENTS AND THINGS IN THE POSSESSION OF PLAINTIFF THAT ARE  
RELEVANT TO THE CLAIMS AND DEFENSES OF ANY PARTY***

1. Documents EMA0001-1563 (previously produced on CD);
2. Documents EMA1564-1566 (previously produced);
3. Documents EMA1567-1604 (previously produced).

Respectfully submitted,

/s/ Nicholas H. Patton

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ATTORNEYS FOR PLAINTIFF

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been forwarded to Charles Babcock, 1401 McKinney, Suite 1900, Houston, Texas 77010, attorney for Cisco Systems, Inc., Mallun Yen and John Noh and Mr. George McWilliams, attorney for Richard Frenkel, P.O. Box 58, Texarkana, Texas 75504-0058, via electronic mail on this, the 11<sup>th</sup> day of November 2008.

/s/ Nicholas H. Patton

Nicholas H. Patton