

**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

**AGREED MOTION TO WITHDRAW PLAINTIFF’S MOTION CHALLENGING
THE DESIGNATION OF CERTAIN DOCUMENTS LABELED “HIGHLY
CONFIDENTIAL” PURSUANT TO THE PROTECTIVE ORDER OR,
IN THE ALTERNATIVE , TO MODIFY THE PROTECTIVE ORDER**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

COMES NOW, ERIC M. ALBRITTON, Plaintiff in the above-captioned cause and files this, the Agreed Motion to Withdraw Plaintiff’s Motion Challenging the Designation of Certain Documents Labeled “highly Confidential” Pursuant to the Protective Order or, in the Alternative, to Modify the Protective Order and, in support thereof, would respectfully show unto the Court as follows:

I.

The parties have reached an agreement resolving the issues raised by Plaintiff’s Motion Challenging the Designation of Certain Documents Labeled “Highly Confidential” Pursuant to the Protective Order or, in the Alternative, to Modify the Protective Order. Plaintiff moves the Court for and Order withdrawing the Motion.

WHEREFORE, PREMISES CONSIDERED, ERIC M. ALBRITTON respectfully prays that Plaintiff's Motion Challenging the Designation of Certain Documents Labeled "Highly Confidential" Pursuant to the Protective Order or, in the Alternative, to Modify the Protective Order, be withdrawn.

Respectfully submitted,

By: _____/s/_____
James A. Holmes (attorney in charge)
State Bar No. 00784290

THE LAW OFFICE OF JAMES A. HOLMES, P.C.

605 SOUTH MAIN STREET, SUITE 203
HENDERSON, TX 75654
(903) 657-2800
(903) 657-2855 (fax)
jh@jamesholmeslaw.com



CERTIFICATE OF CONFERENCE

I hereby certify to the Court that I have discussed this agreement with the Defendants and they are in agreement to the relief sought herein.

_____/s/_____
James A. Holmes

CERTIFICATE OF SERVICE

I hereby certify that I have served a true and correct copy of the foregoing on all Counsel of Record via the electronic filing system for the Eastern District of Texas on this, the 28th day of October 2008.

_____/s/_____
James A. Holmes