

# EXHIBIT 13

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

CERTIFIED COPY

ERIC M. ALBRITTON	)	
	)	
v.	)	
	)	C.A. NO. 6:08-CV-00089
CISCO SYSTEMS, INC.,	)	
RICK FRENKEL, MALLUN YEN &	)	
JOHN NOH	)	

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ORAL AND VIDEOTAPED DEPOSITION OF  
RHONDA LAFITTE  
NOVEMBER 3, 2008  
VOLUME I

\*\*\*\*\*

ORAL AND VIDEOTAPED DEPOSITION OF RHONDA LAFITTE,  
produced as a witness at the instance of the Defendant,  
and duly sworn, was taken in the above-styled and  
numbered cause on the 3rd day of November, 2008, from  
3:31 p.m. to 3:55 p.m., before April R. Eichelberger,  
CSR in and for the State of Texas, reported by machine  
shorthand, at the United States District Court for the  
Eastern District of Texas, 211 West Ferguson Street in  
the City Tyler and the State of Texas, pursuant to the  
Federal Rules of Civil Procedure and the provisions  
stated on the record or attached hereto.

## P R O C E E D I N G S

(Exhibit 114 was marked.)

THE VIDEOGRAPHER: This is the oral and videotaped deposition of Rhonda Lafitte, taken in the suit styled Eric M. Albritton versus Cisco Systems, Inc., et al., Cause Number 6:08-CV-00098 -- 89. Today's date is November the 3rd, 2008. We're located in the Federal Courthouse Eastern Division, 211 West Ferguson, Tyler, Texas. We are now on the record. The time is approximately 3:31.

Will the court reporter please swear in the witness.

RHONDA LAFITTE,

having been first duly sworn, testified as follows:

## EXAMINATION

BY MR. BABCOCK:

Q. Would you state your name, please?

A. Rhonda Lafitte.

Q. And how are you employed, Ms. Lafitte?

A. I am the deputy in charge for the Texarkana Division for the clerk of court.

MR. GIBSON: Mr. Babcock, before we start, I would just like to make a note in the record -- I believe we discussed this beforehand -- that Exhibit Number 95 to the depositions will be reflected in each

1 the docket; that's what you just said a minute ago?

2 A. Yes.

3 Q. Okay.

4 A. Yes.

5 Q. All right. And do you have any information to  
6 suggest that either you or Shelley agreed to that  
7 request?

8 A. No.

9 Q. Okay. Why did you not agree to that request?

10 A. Or why wouldn't Shelley agree?

11 Q. Or why wouldn't Shelley, yeah.

12 A. Repeat the question, please.

13 Q. Yeah. Do you know why Shelley -- do you know  
14 if -- why wouldn't Shelley agree to the request?

15 A. When something is on the docket sheet, we do  
16 not know the ins and outs of how the system works.

17 Q. Right.

18 A. And so, according to our guidelines, we -- we  
19 have certain things that we will amend or add, such as,  
20 you know, a proposed order if someone had forgotten it.

21 Q. Uh-huh.

22 A. However, we had never run across anyone ever  
23 asking us to change a complaint date, so that is  
24 unchartered territory.

25 Q. Okay. Let me -- let me fast-forward a little

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REPORTER'S CERTIFICATION  
DEPOSITION OF RHONDA LAFITTE  
NOVEMBER 3, 2008

I, April Eichelberger, Certified Shorthand Reporter  
in and for the State of Texas, hereby certify to the  
following:

That the witness, RHONDA LAFITTE, was duly sworn by  
the officer and that the transcript of the oral  
deposition is a true record of the testimony given by  
the witness;

That the deposition transcript was submitted on  
\_\_\_\_\_ to the witness or to the attorney  
for the witness for examination, signature and return to  
me by \_\_\_\_\_;

That the amount of time used by each party at the  
deposition is as follows:

- MR. BABCOCK.....22 minutes
- MR. McWILLIAMS...1 minute
- MR. HOLMES.....2 minutes;

1 That pursuant to information given to the deposition  
2 officer at the time said testimony was taken, the  
3 following includes counsel for all parties of record:

4 FOR THE PLAINTIFF:

5 Mr. James A. Holmes

6 FOR THE DEFENDANT CISCO SYSTEMS, INC.:

7 Mr. Charles L. Babcock, Ms. Crystal J. Parker

8 FOR THE DEFENDANT RICHARD FRENKEL:

9 Mr. George L. McWilliams

10 FOR THE WITNESS:

11 Mr. Thomas E. Gibson, Mr. Bob Wells

12 That \$ \_\_\_\_\_ is the deposition officer's charges  
13 to the Defendant for preparing the original deposition  
14 transcript and any copies of exhibits;

15 I further certify that I am neither counsel for,  
16 related to, nor employed by any of the parties or  
17 attorneys in the action in which this proceeding was  
18 taken, and further that I am not financially or  
19 otherwise interested in the outcome of the action.

20 Certified to by me this \_\_\_\_ day of

21 \_\_\_\_\_, 2008.

22  
23  
24 \_\_\_\_\_  
April Eichelberger  
Texas CSR No. 7495  
25 Expiration Date: December 31, 2009

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21 November, 2008.

22  
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24 April Eichelberger  
Texas CSR No. 7495

25 Expiration Date: December 31, 2009