

EXHIBIT 15

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

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

ORAL DEPOSITION OF
OTIS CARROLL
NOVEMBER 5TH, 2008

ORAL DEPOSITION OF OTIS CARROLL, produced as a witness at the instance of the CLAIMANT, and duly sworn, was taken in the above-styled and numbered cause on the 5th of November, 2008, from 9:25 a.m. to 9:36 a.m., before Tammy Staggs, CSR in and for the State of Texas, reported by machine shorthand, at the Law Offices of Ireland, Carroll and Kelley, 6101 Broadway, Suite 500, Tyler, Texas, pursuant to the Federal Rules of Civil Procedure and the provisions stated on the record or attached hereto.

1 representing Rick Frenkel.

2 THE VIDEOGRAPHER: Will the court
3 reporter please swear the witness.

4 OTIS CARROLL,
5 having been first duly sworn, testified as follows:

6 EXAMINATION

7 BY MR. BABCOCK:

8 Q. Would you state your name, sir.

9 A. Otis Carroll.

10 Q. Mr. Carroll, how are you employed?

11 A. I'm a lawyer.

12 Q. And are you -- do you practice with a law
13 firm?

14 A. I do. A firm called Ireland, Carroll, and
15 Kelley in Tyler, Texas.

16 Q. That was my next question.

17 Mr. Carroll, you have been designated or
18 disclosed as a witness in the case that you're giving
19 your deposition in today by the plaintiff Eric
20 Albritton. And it says, in its entirety, (as read):
21 Mr. Carroll has knowledge of the professional reputation
22 and integrity of the plaintiff.

23 Do you know anything about that?

24 A. I do.

25 Q. And what do you know?

1 A. I have my opinion about Eric Albritton's
2 professional reputation and integrity, and I understood
3 that's what he was disclosing me to talk to.

4 Q. That's what -- that's what it looks like.
5 What is your opinion of Mr. Albritton's professional
6 reputation and -- and integrity?

7 A. I think it's impeccable. I think he's got a
8 reputation as being a fine -- to me and probably to Nick
9 Patton, he's still a young trial lawyer, but...

10 Q. You can throw me in on that one too.

11 A. And to you Chip, I forgot. But he's a fine
12 young lawyer. And in my -- my mind he's got a great
13 reputation. And that's -- kind of sums it up.

14 Q. All right. And -- and have you changed your
15 opinion as to his reputation at any time between when
16 you first knew him as a lawyer and today, which is
17 November 5th, 2008, the day after the great election?

18 A. Well, I think, you know, my opinion of him has
19 improved. I met -- I was trying to think of this this
20 morning. I think I met him initially when he was a law
21 clerk to Judge Justice. And I can't remember when it
22 was, but I'm guessing it was at least 15, maybe even 20
23 years ago. And then I knew him when he went to work for
24 Scrappy Holmes and then when he -- he left and I've had
25 cases with him and I've had cases against him and my --

1 anybody about the facts.

2 Q. All right, sir.

3 MR. BABCOCK: That's all I have thank
4 you.

5 THE WITNESS: Thank you. And by the way,
6 thank you for accommodating my time need.

7 MR. BABCOCK: Oh, you bet.

8 THE WITNESS: I hope the plane ride
9 wasn't too bumpy.

10 MR. BABCOCK: Hey, it was a little bumpy
11 getting down, but...

12 THE WITNESS: Well, maybe you'll beat the
13 bad weather out.

14 MR. PATTON: What kind of plane?

15 MR. BABCOCK: It was a twin engine. It
16 wasn't a Kenner (phonetic). It was a 406.

17 MR. PATTON: 406?

18 MR. BABCOCK: Yeah.

19 MR. McWILLIAMS: Let me follow up with
20 one question, Otis.

21 FURTHER EXAMINATION

22 BY MR. McWILLIAMS:

23 Q. Has anything Mr. Patton asked you this morning
24 and your responses changed your opinion about the
25 reputation of Eric Albritton?

1 A. To me personally, no.

2 Q. Okay. Do you know of any other lawyer whose
3 opinion about Eric Albritton's reputation has changed?

4 A. I don't.

5 MR. McWILLIAMS: Thank you.

6 MR. PATTON: Nothing further.

7 THE VIDEOGRAPHER: This concludes the
8 video record. The time is approximately 9:36.

9 (Deposition concluded at 9:36 a.m.)

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REPORTER'S CERTIFICATION
DEPOSITION OF OTIS CARROLL
NOVEMBER 5TH, 2008

I, TAMMY LEA STAGGS, Certified Shorthand Reporter in
and for the State of Texas, hereby certify to the
following:

That the witness, OTIS CARROLL, 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 _____;

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

3 Mr. Nick Patton - (0:02)

4 Mr. Charles L. Babcock - (0:07)

5 Mr. George L. McWilliams - (0:02)

6
7 That pursuant to information given to the deposition
8 officer at the time said testimony was taken, the
9 following includes counsel for all parties of record:

10 FOR THE PLAINTIFF:
11 Nick Patton, Esq.

12 FOR THE DEFENDANT, CISCO SYSTEMS, INC.:
13 Charles L. Babcock, Esq.
14 Crystal Parker

15 FOR THE DEFENDANT, RICHARD FRENKEL:
16 George L. McWilliams, Esq.

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19
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22 That \$ _____ is the deposition officer's charges
23 to the Defendant, Cisco Systems, for preparing the
24 original deposition transcript and any copies of
25 exhibits;

1 I further certify that I am neither counsel for,
2 related to, nor employed by any of the parties or
3 attorneys in the action in which this proceeding was
4 taken, and further that I am not financially or
5 otherwise interested in the outcome of the action.

6 Certified to by me this 7th of November, 2008.

7
8
9 *Tammy Lea Daggs*

Tammy Lea Daggs, CSR 7496
Expiration Date: 12/31/2009
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