

DSC Communications Corporation n/k/a	§	IN THE 219th JUDICIAL
Alcatel Marketing USA, Inc.,	§	
Plaintiff	§	
v.	§	DISTRICT COURT OF
	§	
EVAN BROWN,	§	COLLIN COUNTY, TEXAS
Defendant	§	

APPLICATION FOR SUBPOENA

TO THE CLERK OF THE COURT:

I hereby request that you issue subpoenas for the following witnesses, who are represented to reside within 150 miles of the courthouse of the county where this suit is pending or who may be found within such distance at the time of this hearing. Please note that this case was transferred from the 199th District Court to Judge Curt Henderson's 219th District Court. The hearing is scheduled for December 21, 2001 at 9:00am. These persons are employees of the Plaintiff and will be served through Alcatel's attorney of record Eric Pinker, (Lynn, Tillotson & Pinker LLP), 750 North St. Paul Street, Suite 1400, Dallas, Texas, 75201 as requested by Alcatel's counsel. See attached letter.

<u>Name</u>	<u>County</u>	<u>Address</u>	(Clerk) <u>Date of Subpoena</u>
Kevin Fisher	Collin	1000 Coit Rd, Plano, TX	
Rick Billings	Collin	1000 Coit Rd, Plano, TX	

Please have the subpoena made returnable on the 21st day of December, 2001, at 9:00 o'clock a.m.



Evan Brown, Defendant
PO Box 31
Cranfills Gap,
TX 76637
Phone: (254)796-2416
FAX: (254)796-2687

SWORN TO AND SUBSCRIBED before me on this _____ day of _____ 2001,
to certify which witness my hand and official seal.

Notary Public in and for the
State of Texas

LYNN TILLOTSON & PINKER, L.L.P.

ATTORNEYS AND COUNSELORS

Scott M. Garelick
Direct Dial (214) 981-3803
sgarelick@lynnllp.com

750 NORTH ST. PAUL STREET
SUITE 1400
DALLAS, TEXAS 75201

Telephone: (214) 981-3800
Telecopier: (214) 981-3839

December 18, 2001

Via CMRRR # 7000 1670 0012 5497 6379

Facsimile and E-Mail

Mr. Evan Brown
P.O. Box 31
Cranfills Gap, TX 76637
Telephone: (254) 796-2416
Facsimile: (254) 796-2687
E-Mail: evan@unixguru.com

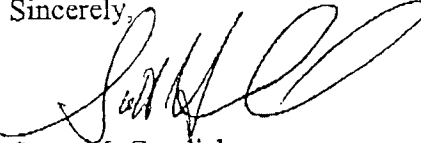
Re: ***DSC Communications Corporation n/k/a Alcatel Marketing USA, Inc. v. Evan Brown***; Cause No. 199-00596-97 in the 219th Judicial District of Collin County, Texas.

Dear Evan:

I am in receipt of your letter of December 18, 2001, requesting that Kevin Fisher and Rick Billings be made available as witnesses on December 21, 2001. I am also in possession of e-mails that you sent directly to Mr. Fisher and Mr. Billings requesting their presence for these hearings.

First, I caution you to follow the rules and stop communicating directly with Alcatel employees. You are fully aware that this firm represents Alcatel in this matter and, therefore, you must route any correspondence to Alcatel and/or its employees through us. Please do so in the future.

Second, neither this firm, as Alcatel's outside counsel, nor Alcatel itself, is required to subpoena Alcatel employees and we will not do so in this matter.

Sincerely,

Scott M. Garelick

SMG/sd

N:\WPDoc\01256703CORR\2001\Brown12-18-01.wpd

From: Evan Brown <evan>
Subject: FYI: you have been requested to appear
To: kwfisher@usa.alcatel.com, rxbillin@usa.alcatel.com
Date: Tue, 18 Dec 2001 12:28:14 -0600 (CST)

I tried calling to see if you had a problem with appearing at a hearing this Friday (12/21) at 9am. Since I was unable to reach you, I requested Alcatel's attorneys to subpoena you to appear.

Hope this doesn't interfere with your holiday plans. The hearings will be short and hopefully will be over before noon. Sorry for the short notice.

Best regards.

- Evan Brown

Evan Brown
PO Box 31
Cranfills Gap
TX 76637
(254)796-2416

December 18, 2001

Scott Garleick
Lynn Tillotson & Pinker, LLP
750 North St. Paul Street
Suite 1400
Dallas, TX 75201

Re: *DSC Communications Corporation n/k/a Alcatel Marketing USA. V. Evan Brown;*
Cause No. 199-00596-97 in the 219th Judicial District of Collin County, Texas

Dear Counsel:

Please have Kevin Fisher and Rick Billings available as witnesses for the hearings scheduled for Dec 21, 2001 at 9:00am

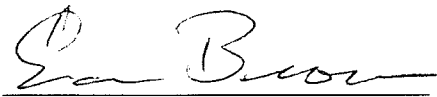
Kevin Fisher was Manager of Workstation Services on April 21, 1997.

Rick Billings was Manager of the Software Tools Group on April 21, 1997.

If you have any questions, please do not hesitate to contact me.

Thank you for your assistance in these matters.

Sincerely,

A handwritten signature in cursive script that reads "Evan Brown". The signature is written in black ink and is positioned above a horizontal line.

Evan Brown

Via FAX, CMRRR and First Class Mail
Scott Garelick
Lynn Tillotson & Pinker, L.L.P.
750 North St. Paul Street, Suite 1400
Dallas, TX 75201