

IN THE COURT OF COMMON PLEAS
SUMMIT COUNTY, OHIO

MEMBER WILLIAMS, et al.)	CASE NO. CV-2016-09-3928
)	
Plaintiffs,)	JUDGE ALISON BREAU
)	
v.)	
)	
KISLING, NESTICO & REDICK, LLC, et al.,)	<u>EXHIBIT TO DEFENDANTS' MOTION TO</u>
)	<u>STRIKE CLASS ALLEGATIONS</u>
Defendants.)	
)	

EXHIBIT 5 -
Affidavit of Jenna Wiley

IN THE COURT OF COMMON PLEAS
SUMMIT COUNTY, OHIO

Member Williams, et al,

Case No. 2016 09 3928

Plaintiffs,

Judge Alison Breau

v.

AFFIDAVIT OF JENNA WILEY

Kisling, Nestico & Redick, LLC, et al

Defendants.

Now comes Affiant, Jenna Wiley, having first been sworn upon her oath, and attests as follows:

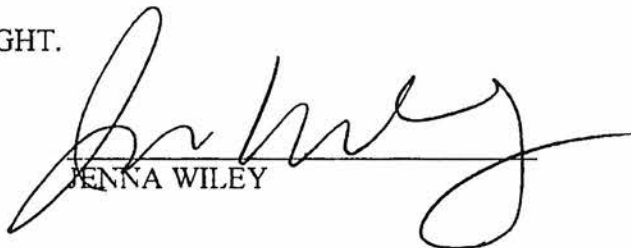
1. I am of legal age, sound mind and otherwise competent to testify.
2. This affidavit is based on my personal knowledge.
3. I have been employed by Kisling, Nestico & Redick, LLC since 2011, and since March 2014 as the managing pre-litigation paralegal responsible for training and administrative supervision of Kisling, Nestico & Redick's pre-litigation paralegals.
4. As managing pre-litigation paralegal, I am familiar with the services provided to pre-litigation department by investigators approved for use by Kisling, Nestico & Redick including but not limited to MRS Investigations and AMC Investigations, and have

trained pre-litigation paralegals as to their availability to assist them during the paralegal and attorney's investigation and processing of client claims.

5. Among other things, pre-litigation paralegals and their attorney may use and have used approved investigators to: pick up police reports, addendums and photos; take accident scene photos; take or obtain property damage photos at body shops; take or obtain photos of client injuries; obtain medical records and bills; obtain regular and/or certified copies from courts and agencies; locate witnesses and obtain statements; deliver and obtain execution of documents including but not limited to medical authorizations, IRS authorizations, powers of attorney, and settlement agreements and release after the client's consultation with his attorney; pick up and drop off settlement checks; perform "door knocks" at the suspected residence of clients who have failed to respond to KNR's attempts to contact them by phone, email and/or mail; served 180 day letters and subpoenas; filed pleadings and briefs as needed; and performed other litigation-related investigations .
6. It is my understanding, and I train pre-litigation paralegals, that, once an investigator is retained to work on a case, the paralegal and her attorney may request the investigator perform any of the services listed in paragraph 5 of this affidavit without incurring any additional expense for the investigator's services.
7. Based upon my experience, I am also familiar with billing for records and narrative reports for KNR clients who treated with Akron Square Chiropractic ("ASC"). When ASC provided a narrative report, ASC's \$150 flat fee covered not only the report, but also production of all of ASC's related medical records and bills.

8. Unlike ASC, most medical providers bill separately for medical records and bills, and the cost varies greatly depending on the provider, amount of records, and method of delivery.

FURTHERMORE AFFIANT SAYETH NAUGHT.


JENNA WILEY

STATE OF OHIO



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)SS;

COUNTY OF SUMMIT

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Affiant, Jenna Wiley, appeared in my presence this 26th day of October, 2017, and having first been sworn upon his oath, attested that the facts stated in this Affidavit are true to the best of her knowledge.


NOTARY PUBLIC

PATSY E. HARVEY
NOTARY PUBLIC - OHIO
MY COMMISSION EXPIRES 08-27-2018