

**IN THE COURT OF COMMON PLEAS
SUMMIT COUNTY, OHIO**

MEMBER WILLIAMS, et al.,
Plaintiffs,

v.

KISLING, NESTICO & REDICK, LLC, et al.

Defendants.

Case No.: CV-2016-09-3928

Judge James Brogan

**DEFENDANTS' NOTICE OF
VIDEOTAPED DEPOSITION DUCES
TECUM OF DEFENDANT ROBERT
PAUL HORTON, ESQ.**

Now comes Defendant Kisling, Nestico & Redick, LLC, by and through undersigned counsel, and hereby gives notice, pursuant to Ohio Rules of Civil Procedure, including but not limited to Civil Rule 30, that Defendant will take the videotaped deposition *duces tecum* of Robert Paul Horton, Esq. as follows:

Date: Friday, November 2, 2018
Time: 9:00 a.m.
Location: Thomas A. Skidmore Co., L.P.A.
One Cascade Plaza, 12th Floor
PNC Center Building, Akron, OH 44308

The deposition will be taken by an official stenographer, videographer, and/or other person authorized by law to administer oaths and will be continued until conclusion. The deponent, Robert Paul Horton, Esq., is commanded to bring with him to the deposition the documents and items listed in attached Exhibit "A".

Respectfully Submitted,

/s/ Thomas P. Mannion

Thomas P. Mannion (0062551)
LEWIS BRISBOIS BISGAARD & SMITH LLP
1375 E. 9th Street, Suite 2250
Cleveland, Ohio 44114
Tel. 216.344.9422, Fax 216.344.9421
Tom.Mannion@lewisbrisbois.com

*Counsel for Defendant Kisling Nestico & Redick,
LLC*

CERTIFICATE OF SERVICE

Pursuant to Civ.R. 5(B)(2)(f), the undersigned certifies that a copy of the foregoing *Notice of Videotaped Deposition Duces Tecum of Robert Horton, Esq.* was filed and served electronically through the Court's electronic docket system. A copy of the foregoing was also served via email correspondence to Thomas Skidmore as counsel for Mr. Horton and to the following counsel for Plaintiffs:

Peter Pattakos, Esq.
The Pattakos Law Firm, LLC
101 Ghent Road
Fairlawn, OH 44333
peter@pattakoslaw.com
Counsel for Plaintiffs

Joshua R. Cohen, Esq.
Cohen Rosenthal & Kramer, LLP
The Hoyt Block Building, Suite 400
Cleveland, OH 44113
jcohen@crklaw.com
Counsel for Plaintiffs

/s Thomas P. Mannion
Thomas P. Mannion (0062551)
LEWIS BRISBOIS BISGAARD & SMITH LLP

EXHIBIT "A"

1. Any and all documents, writings, photographs, screen shots, computer files, electronic correspondence, tape recordings, emails, letters, notes, or any other tangible items relating to any communications Mr. Horton has had with Peter Pattakos, Josh Cohen, or any counsel for Plaintiffs in this matter.
2. Any and all documents, writings, photographs, screen shots, computer files, electronic correspondence, tape recordings, emails, letters, notes, or any other tangible items relating to any communications Mr. Horton has had with Thera Reid, Member Williams, Matthew Johnson, Monique Norris, or Richard Harbour.
3. Any and all documents, writings, photographs, screen shots, computer files, electronic correspondence, tape recordings, emails, letters, notes, or any other tangible items relating to any communications Mr. Horton has had with Gary Petti or any current or former attorney or other employee of KNR relating to Liberty Capital or loans to KNR clients, alleged "kickbacks" from chiropractors or loan companies, investigator's fees, or any of the other allegations against the Defendants in this lawsuit. (A copy of the most current Amended Complaint, which outlines these claims, is being provided to Mr. Horton's counsel, Thomas Skidmore).
4. Any and all documents or other items provided by Mr. Horton to Attorney Peter Pattakos or any other attorney for the Plaintiffs relating to Mr. Horton's employment with KNR, former or current clients of KNR. (Plaintiffs have produced a copy of records claimed to have been provided by Mr. Horton. A copy of those records will be forwarded to Mr. Horton's counsel, as this request does not require Mr. Horton to re-produce those documents. This request only applies to copies of any additional documents or items provided to Plaintiffs' counsel.)