

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

<p>MEMBER WILLIAMS, <i>et al.</i>,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">vs.</p> <p>KISLING, NESTICO & REDICK, LLC, <i>et al.</i>,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No. 2016-CV-09-3928</p> <p>Judge James A. Brogan</p> <p>Plaintiffs' Motion to Compel Discovery from Defendant Minas Floros</p>
---	---

Like the other Defendants in this action, Defendant Minas Floros has continuously obstructed Plaintiffs' ability to discover the information to which they are entitled. In response to nearly every discovery request Plaintiffs have served on Floros, he has stated a series of illegitimate boilerplate objections without explaining with particularity how they apply to Plaintiffs' requests or why Floros should be relieved from providing Plaintiffs with adequate responses.

For the reasons outlined below, Plaintiffs respectfully request that the Court issue an order (1) compelling Floros to provide sufficient responses to Plaintiffs' requests and (2) requiring Floros to withdraw the illegitimate objections he has otherwise asserted to prevent Plaintiffs from obtaining discovery in this litigation.

I. Discovery responses and correspondence to date.

On September 13, 2018, Defendant Minas Floros responded to Plaintiff Thera Reid's first set of discovery requests. *See Exhibit 1.* On November 9, 2018, Plaintiffs' counsel wrote to Floros' counsel about certain deficiencies contained in Floros' responses. *See* e-mail to Shaun Kedir, attached as **Exhibit 2.** Presumably in response to the deficiencies Plaintiffs' counsel outlined to Floros' counsel, Floros served a set of "supplemental responses" on November 26, 2018. *See Exhibit 3.* But those requests were nonetheless deficient because they continued to assert

illegitimate boilerplate objections and evaded Plaintiffs' requests by claiming that Floros lacked authorization to respond, even though Plaintiffs' counsel has specifically informed Floros' counsel that the discovery requests sought information personally known by Floros.

On December 7, 2018, Floros served upon Plaintiffs' counsel responses to Plaintiff Thera Reid's second set of discovery requests. *See* Floros' Responses to Plaintiff Thera Reid's Second Set of Interrogatories and Requests for Production of Documents, attached as **Exhibit 4**. Floros' responses to Plaintiff Thera Reid's second set of discovery requests were similarly deficient, because they contained the same illegitimate objections and use the same evasive tactics.

II. Floros should be ordered to produce all responsive documents that he can access, or confirm that no such documents exist.

In response to Plaintiff Thera Reid's first and second requests for the production of documents, Floros objected to producing responsive documents because he believes they are "in the custody and control of ASC" or that he does not personally "maintain" such documents.¹ *See Exhibit 1*, at 6-11. Floros asserted such objections in response to twenty-two of Plaintiffs' requests, refusing to produce documents responsive to RFP Nos. 1-1, 1-2, 1-3, 1-4, 1-5, 1-6, 1-7, 1-8, 1-9, 1-10, 1-11, 1-12, 1-13, 1-14, 1-15, 1-17, 1-18, 1-19, 1-20, 1-21, 1-22, 1-23.

Floros' objections are not legitimate. Under the substantially similar federal rule governing the production of documents, "actual possession is not the standard; instead, simply having the 'legal right to obtain the documents on demand' is enough to constitute control." *Gardiner v. Kelowna Flightcraft, Ltd.*, S.D. Ohio No. 2:10-cv-947, 2011 U.S. Dist. LEXIS 60056, at *10-12 (June 6, 2011), quoting *In re Bankers Trust Co.*, 61 F.3d 465, 469 (6th Cir. 1995). Thus, the requesting party is entitled to discover documents if the party of whom documents are sought has the legal right to access such

¹ On November 14, 2018, Plaintiffs served upon non-party Akron Square Chiropractic ("ASC") a subpoena to produce documents. ASC stated in response to nearly every request that it did not possess responsive documents. *See* ASC's Response to Subpoena to Produce Documents, attached as **Exhibit 5**. This is so despite that Floros' responses imply that such documents exist, just outside of Floros' possession of them. *See* Exhibit 1, at 6-11.

documents. *See Craig v. Bridges Bros. Trucking, LLC*, S.D. Ohio No. 2:12-CV-954, 2014 U.S. Dist. LEXIS 105470, at *10-11 (Aug. 1, 2014) (party requesting documents was entitled to them due to the existence of a principal-agent relationship with the person who physically possessed documents).

Here, due to the lack of Floros' substantive responses to date, the extent of Floros' involvement with ASC is not clear. It appears, however, that as a chiropractor who was personally involved in providing services to KNR clients under the umbrella of ASC, Floros has sufficient authority to access documents Plaintiffs have requested from him, or at the very least, to confirm whether such documents exist. Accordingly, Floros cannot legitimately refuse to produce documents simply because he claims they are not in his physical possession. *See, e.g., Cooper Indus., Inc. v. British Aerospace, Inc.*, 102 F.R.D. 918, 920 (S.D.N.Y.1984) ("Defendant cannot be allowed to shield crucial documents from discovery ... merely by storing them with its affiliate").

In addition, Floros has refused to provide documents responsive to RFP No. 2-1, which requested "all documents reflecting correspondence between" Floros "and any attorney or representative of the KNR law firm." **Exhibit 4**, at 1. Floros again responded with various boilerplate objections, and claimed without explanation that producing such documents would require him "to violate doctor/patient confidentiality" and the "HIPAA regulations." *Id.* But Plaintiffs have not asked Floros to produce documents containing sensitive and confidential patient information. Instead, this request asks Floros to produce documents relating to correspondence with the KNR Defendants in the context of the referral relationship between Floros and the KNR Defendants and his receiving narrative fees. Floros must produce such documents or confirm that they do not exist.

III. Floros should be ordered to provide complete and adequate responses to Interrogatory Nos. 1-10, 1-21, 1-22, and 2-5.

As explained below, Floros should be ordered to provide complete and adequate responses to Interrogatories 1-10, 1-21, 1-22, and 2-5. Moreover, the Court should also order Floros to

withdraw the illegitimate boilerplate objections he has otherwise asserted in response to nearly all of Plaintiffs' interrogatories, because such objections are improper. Indeed, as one federal court has recently proclaimed:

“The ‘natural and probable consequences’ of ‘boilerplate’ objections is delay and impediment of discovery, not the narrowing of issues and the avoidance of expense and delay toward which the discovery rules are aimed . . . the impropriety of employing such frivolous objections in every single discovery response also demonstrates the parties’ obstructionist attitude toward discovery and would further confirm suspicions that the responses were interposed for improper purpose.”

Liguria Foods, Inc. v. Griffith Lab., Inc., 320 F.R.D. 168, 189 (N.D. Iowa 2017) (the “discovery rules and the cases interpreting them uniformly finding the ‘boilerplate’ discovery culture impermissible are not aspirational, they are the law.”). As in *Liguria*, Floros has improperly used such objections.

Interrogatory No. 1-10 requested that Floros provide “the reasons why ASC provides narrative reports to KNR clients and receives a narrative fee upon referral of a KNR client to ASC as a matter of policy.” **Exhibit 3**, p. 2. In his supplemental response, Floros objected that the request was speculative, vague, and required Floros “to answer on behalf of ASC.” *Id.* Such objections are not legitimate. With respect to his objection that he cannot provide an answer on ASC’s behalf, Floros’ counsel should be aware—because Plaintiffs’ counsel has informed him in writing—that Plaintiffs’ interrogatories request only information personally known by Floros, such as his understanding of why he provides narrative reports and receives narrative fees for referring clients to KNR. He cannot legitimately refuse to answer this request by claiming to lack authorization, because Plaintiffs have asked him only to provide what he knows.

Interrogatory No. 1-21 requested “the reasons why KNR pays the narrative fee to Floros directly as opposed to ASC or another entity.” **Exhibit 3**, p. 3. In response, Floros complained that the request was speculative, vague, and required him “to answer on behalf of KNR.” *Id.* Floros is incorrect. Once again, as Plaintiffs’ counsel has informed Floros’ counsel, this interrogatory seeks

Floros' personal understanding as to why Floros received payment for narrative fees directly. Thus, he must provide Plaintiffs with his understanding as to those issues.

Interrogatory No. 1-22 requested "the reasons why KNR referred clients to ASC based on KNR's solicitation of that client via a "red bag" of promotional materials." **Exhibit 3**, p. 3. In response, Floros complained that the request was speculative, assumed facts not in evidence, was vague, and required Floros "to answer on behalf of KNR." *Id.* As before, this interrogatory asks for Floros' personal understanding of why KNR referred clients to ASC. Plaintiffs are entitled to know what Floros personally knows. Floros must provide an adequate response.

In light of Floros' persistent arguing that he cannot answer Plaintiffs' requests because he lacks authorization, Interrogatory No. 2-5 asked Floros to identify the person who *is* authorized to respond on ASC's behalf. In response, Floros again asserted a host of illegitimate boilerplate objections. He then stated that he "does not know the person authorized to respond on behalf of non-party ASC." *See Exhibit 4*, at 4. Floros cannot have it both ways. As Plaintiffs have previously explained, Floros cannot legitimately refuse to respond on the basis that he lacks authorization, because their requests seek information Floros personally knows. And if Floros maintains that he does not have any such personal knowledge, he must so state. Moreover, even assuming *arguendo* that Floros has no such knowledge, he must, nonetheless, conduct a good-faith inquiry into who is authorized to respond on ASC's behalf for purposes of Interrogatory No. 2-5.

IV. Conclusion

For the foregoing reasons, the Court should overrule Floros's objections to Plaintiffs discovery requests and order Floros to provide complete responses to Plaintiffs' discovery requests, including a detailed response to justify any alleged inability to access the requested information.

Respectfully submitted,

/s/ Peter Pattakos

Peter Pattakos (0082884)
Dean Williams (0079785)
Rachel Hazelet (0097855)
THE PATTAKOS LAW FIRM LLC
101 Ghent Road
Fairlawn, Ohio 44333
Phone: 330.836.8533
Fax: 330.836.8536
peter@pattakoslaw.com
dwilliams@pattakoslaw.com
rhazelet@pattakoslaw.com

Joshua R. Cohen (0032368)
Ellen Kramer (0055552)
COHEN ROSENTHAL & KRAMER LLP
The Hoyt Block Building, Suite 400
Cleveland, Ohio 44113
Phone: 216.781.7956
Fax: 216.781.8061
jcohen@crklaw.com

Attorneys for Plaintiffs

Certificate of Service

The foregoing document was filed on December 21, 2018, using the Court's electronic-filing system, which will serve copies on all necessary parties.

/s/ Peter Pattakos

Attorney for Plaintiffs

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

<p>MEMBER WILLIAMS, <i>et al.</i>,</p> <p style="text-align: center;">Plaintiffs,</p> <p>vs.</p> <p>KISLING, NESTICO & REDICK, LLC, <i>et al.</i>,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No. 2016-CV-09-3928</p> <p>Judge James A. Brogan</p>
<p>Defendant Dr. Minas Floros' Responses to Plaintiff Thera Reid's First Set of Requests for Admission</p>	

COMES NOW Defendant, Dr. Minas Floros ("Dr. Floros"), by and through counsel, and for its responses to Plaintiff, Thera Reid's, Request for Admissions, states as follows:

Responses to Requests for Admission

1. Admit that it was routine practice for Akron Square Chiropractic ("ASC") to directly solicit car-accident victims by phone.

RESPONSE: Denied.

2. Admit that it was routine practice for ASC to advise its clients to call KNR offices.

RESPONSE: Denied.

3. Admit that it was routine practice for ASC to advise its clients to call KNR offices.

RESPONSE: Denied

4. Admit that it was routine practice for you to advise your clients to call KNR offices.

RESPONSE: Denied

5. Admit that it was routine practice for ASC to keep copies of KNR's fee-agreements in its offices to provide to ASC patients.

RESPONSE: Insufficient knowledge or information to admit or deny.

6. Admit that ASC entered into an agreement with KNR to exchange referrals.

RESPONSE: Denied

7. Admit that you entered into an agreement with KNR to exchange referrals.

RESPONSE: Denied

8. Admit ASC shared the cost of marketing and advertising with KNR.

RESPONSE: Denied

9. Admit you shared the cost of marketing and advertising with KNR.

RESPONSE: Denied.

10. Admit that KNR contributed funds to ASC's advertising or marketing campaigns.

RESPONSE: Denied.

11. Admit that KNR contributed funds to your advertising or marketing campaigns.

RESPONSE: Denied.

12. Admit that ASC contributed funds to KNR's advertising or marketing campaigns.

RESPONSE: Denied.

13. Admit that you contributed funds to KNR's advertising or marketing campaigns.

RESPONSE: Denied.

14. Admit that KNR represented to ASC that ASC would be paid for its services on all referrals made by ASC to KNR who KNR subsequently represented.

RESPONSE: Denied.

15. Admit that KNR represented to you that you would be paid for your services on all referrals made by you to KNR who KNR subsequently represented.

RESPONSE: Denied.

16. Admit that ASC monitors the number of referrals to and from KNR.

RESPONSE: Insufficient knowledge or information to admit or deny.

17. Admit that you monitor the number of referrals to and from KNR.

RESPONSE: Denied.

18. Admit there is a financial advantage to ASC in referring clients to KNR.

RESPONSE: Insufficient knowledge or information to admit or deny.

19. Admit there is a financial advantage to you in referring clients to KNR.

RESPONSE: Insufficient knowledge or information to admit or deny.

20. Admit that KNR provided the content to be included in narrative reports from ASC or you.

RESPONSE: Denied.

21. Admit that you used boilerplate language in the narrative reports that you provided to KNR clients.

RESPONSE: Denied.

22. Admit that the decision of whether ASC or you generate a narrative report for a patient should be in the sole discretion of the patient or the patient's lawyer.

RESPONSE: Insufficient knowledge or information to admit or deny.

23. Admit that KNR promised ASC that it would be paid a fee for narrative reports if ASC referred cases to KNR.

RESPONSE: Denied.

24. Admit that KNR promised you that you would be paid a fee for narrative reports if you referred cases to KNR.

RESPONSE: Denied.

25. Admit that KNR has sent payment for narrative fees directly to you personally, rather than to ASC.

RESPONSE: Admitted.

26. Admit that in 2015, you were paid a narrative fee by or through KNR on every case referred by you to KNR.

RESPONSE: Denied.

27. Admit that in 2016, you were paid a narrative fee by or through KNR on every case referred by you to KNR.

RESPONSE: Denied.

28. Admit that ASC and KNR entered into an agreement with respect to the “red bags” in Akron.

RESPONSE: Denied.

29. Admit that in exchange for all red bag intakes in Akron being referred to ASC by KNR, ASC provided value to KNR.

RESPONSE: Insufficient knowledge to admit or deny.

30. Admit that the fees you received from KNR for narrative reports did not vary according to the complexity of the narrative or amount of time you spent on the narrative.

RESPONSE: Denied.

31. Admit that ASC does not accept payment from Medicare for the work it performs on behalf of KNR clients.

RESPONSE: Admitted.

32. Admit that ASC does not accept payment from any health-insurance organization for the work it performs on behalf of KNR clients.

RESPONSE: Admitted

Respectfully submitted,

/s/ Shaun H. Kedir

Shaun H. Kedir (0082828)
KEDIR LAW OFFICES, LLC
Rockefeller Building 1400
614 West Superior Avenue
Cleveland, OH 44113
Office Phone: 216 (696)-1080 ext. 268
Direct Dial: 216-696-2852
Office Fax: 216-696-3177
shaunkedir@kedirlaw.com

Certificate of Service

I certify that on September 13, 2018, I served the foregoing document by email to counsel for Plaintiff, Thera Reid.

/s/ Shaun H. Kedir

Attorney for Dr. Minas Floros

STATE OF OHIO)
) ss: VERIFICATION
 COUNTY OF _____)

_____, an Authorized Agent of Defendant,
Minas Floros, being first duly sworn according to law, deposes and says that they are
 a representative of Defendant in the within action, that they have read the foregoing Requests for
 Admission propounded upon them by Plaintiffs and that they are true and correct to the best of
 her/his knowledge.

[Handwritten Signature]

SWORN TO BEFORE ME, and subscribed in my presence this 13th day of September
 _____, 2018.

[Handwritten Signature]

 NOTARY PUBLIC



SHAUN H. KEDIR
 Attorney At Law
 NOTARY PUBLIC
 STATE OF OHIO
 My Commission Has
 No Expiration Date
 Section 147.03 O.R.C.

IN THE COURT OF COMMON PLEAS
SUMMIT COUNTY, OHIO

<p>MEMBER WILLIAMS, <i>et al.</i>,</p> <p style="text-align: center;">Plaintiffs,</p> <p>vs.</p> <p>KISLING, NESTICO & REDICK, LLC, <i>et al.</i>,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No. 2016-CV-09-3928</p> <p>Judge James A. Brogan</p>
---	--

**Defendant, Dr. Minas Floros' Objections and Responses to Plaintiff Thera Reid's
First Set of Requests for Production**

TO: Plaintiff, Thera Reid, by and through her attorney of record, Peter Pattakos, 101 Ghent Road, Fairlawn, Ohio 44333.

COMES NOW, Dr. Minas Floros, named Defendant in the above-styled and numbered cause, by and through his attorney of record, and pursuant to Rule 34 of the Ohio Rules of Civil Procedure, makes and files the following Objections and Responses to Request for Production previously filed by Plaintiff.

**Objections and Responses to Plaintiff, Thera Reid's,
First Requests for Production of Documents**

Please produce the following documents:

1. All documents reflecting a comparison or discussion of the number of referrals made by KNR to Akron Square Chiropractic ("ASC") and/or Defendant and referrals made by ASC and/or Defendant to KNR over any period of time.

RESPONSE: Defendant objects to the request for documents in the custody and control of ASC. Defendant is not the custodian of records for ASC. Defendant maintains no records responsive to this request.

2. All documents stating or reflecting policies, procedures, or reasons or criteria considered by ASC and/or Defendant regarding narrative reports for KNR referrals.

RESPONSE: Defendant objects to the request for documents in the custody and control of ASC. Defendant maintains no records responsive to this request.

3. All documents reflecting requirements for the content of narrative reports generated by ASC and/or Defendant for KNR.

RESPONSE: Defendant objects to the request for documents in the custody and control of ASC. Defendant maintains no records responsive to this request.

4. All documents reflecting discussions, communications or assessments on the value of ASC and/or Defendant narrative reports for KNR personal injury settlements.

RESPONSE: Defendant objects to the request for documents in the custody and control of ASC. Defendant maintains no records responsive to this request.

5. All documents reflecting negotiations with KNR relating to narrative report fees.

RESPONSE: Defendant objects to the request for documents in the custody and control of ASC. Defendant maintains no records responsive to this request.

6. All documents containing or reflecting the amount of narrative report fees received by ASC and/or Defendant by KNR.

RESPONSE: Defendant objects to the request for documents in the custody and control of ASC. Defendant objects to the request for documents as unduly burdensome and overly broad. Defendant maintains no records responsive to this request.

7. All documents reflecting communications between ASC and/or Defendant and KNR where such communications *do not* relate or refer to a specific patient.

RESPONSE: Defendant objects to the request for documents in the custody and control of ASC. Defendant objects to the request for production as being vague, and unduly burdensome. Defendant maintains no records responsive to this request.

8. All documents reflecting communication with KNR regarding trips, retreats, meetings or other occurrences which provided interaction between ASC and/or Defendant and KNR.

RESPONSE: Defendant objects to the request for documents in the custody and control of ASC. Defendant objects to the request for production as being vague, and unduly burdensome. Defendant maintains no records responsive to this request.

9. All documents reflecting an agreement, formal or otherwise, for KNR to refer clients to ASC

and/or Defendant or for ASC and/or Defendant to refer patients to KNR.

RESPONSE: Defendant objects to the request for documents in the custody and control of ASC. Defendant objects to the request for production as being vague, and unduly burdensome. Defendant maintains no records responsive to this request.

10. All documents reflecting negotiations with KNR relating to referrals.

RESPONSE: Defendant objects to the request for documents in the custody and control of ASC. Defendant objects to the request for production as being vague, and unduly burdensome. Defendant maintains no records responsive to this request.

11. All documents, including but not limited to spreadsheets, quantifying the number of referrals to and from ASC and/or Defendant and KNR.

RESPONSE: Defendant objects to the request for documents in the custody and control of ASC. Defendant objects to the request for production as being vague, and unduly burdensome. Defendant maintains no records responsive to this request.

12. All documents reflecting any payment made to KNR by ASC and/or Defendant.

RESPONSE: Defendant objects to the request for documents in the custody and control of ASC. Defendant objects to the request for production as being vague, and unduly burdensome. Defendant maintains no records responsive to this request.

13. All documents reflecting any payment made by KNR to ASC and/or Defendant *not associated* with chiropractic services or narrative reports provided to/for a *specific* KNR client.

RESPONSE: Defendant objects to the request for documents in the custody and control of ASC. Defendant objects to the request for production as being vague, and unduly burdensome. Defendant maintains no records responsive to this request.

14. All documents relating to “red bags” of promotional materials placed on the doors of KNR clients.

RESPONSE: Defendant objects to the request for documents in the custody and control of ASC. Defendant maintains no records responsive to this request.

15. All documents reflecting agreements with or procedures employed by telemarketers who work for ASC or on ASC’s behalf to solicit car-accident victims.

RESPONSE: Defendant objects to the request for documents in the custody and control of ASC. Defendant maintains no records responsive to this request.

16. All documents reflecting solicitations or communications to ASC and/or Defendant asking,

suggesting, urging or incentivizing any referral agreement and/or arrangement with KNR.

RESPONSE: Defendant maintains no records responsive to this request.

17. All documents reflecting contracts or payments made by ASC and/or Defendant to obtain contact information for individuals recently involved in auto accidents.

RESPONSE: Defendant objects to the request for documents in the custody and control of ASC. Defendant maintains no records responsive to this request.

18. All documents reflecting payments received by ASC and/or Defendant from KNR for postage or materials used for any mailings sent ASC and/or Defendant, including but not limited to any communication to individuals recently involved in auto accidents.

RESPONSE: Defendant objects to the request for documents in the custody and control of ASC. Defendant maintains no records responsive to this request.

19. All documents reflecting any input provided by KNR into the content or design of any mailing sent by ASC and/or Defendant.

RESPONSE: Defendant objects to the request for documents in the custody and control of ASC. Defendant maintains no records responsive to this request.

20. All documents containing or reflecting policies and procedures regarding the referral of ASC's and/or Defendant's patients to KNR and/or any other law firm.

RESPONSE: Defendant objects to the request for documents in the custody and control of ASC. Defendant maintains no records responsive to this request.

21. All documents containing or reflecting policies and procedures regarding obtaining referrals of patients from KNR and/or any other law firm.

RESPONSE: Defendant objects to the request for documents in the custody and control of ASC. Defendant maintains no records responsive to this request.

22. All documents containing or reflecting policies and procedures relating to handling calls from potential new patients of ASC and/or Defendant.

RESPONSE: Defendant objects to the request for documents in the custody and control of ASC. Defendant maintains no records responsive to this request.

23. All documents containing or reflecting policies and procedures related to new patient intake for ASC and/or Defendant.

RESPONSE: Defendant objects to the request for documents in the custody and control

of ASC. Defendant maintains no records responsive to this request.

24. All documents supporting or relating to your response to any Interrogatory served by Plaintiffs in this lawsuit.

RESPONSE: Objection. Seeks documents protected from disclosure by the attorney-client privilege and attorney work product doctrine. Without waiving objection, none.

25. All documents supporting the truth of your denial of any Request for Admission served by Plaintiffs in this lawsuit.

RESPONSE: Objection. Seeks documents protected from disclosure by the attorney-client privilege and attorney work product doctrine. Without waiving objection, none.

26. All documents relating to Thera Reid including relating to any disclosures made to Reid regarding ASC and/or Defendants ongoing business/referral relationship with KNR.

RESPONSE: Defendant objects to the request for documents in the custody and control of ASC. Defendant maintains no records responsive to part of this requests. Without waiving objection, see attached.

27. All insurance policies that do or could conceivably provide coverage for the defense or payment of the claims at issue in this lawsuit, and documents sufficient to determine the full extent of any such coverage.

RESPONSE: Objection. Seeks irrelevant documents. Without waiving objection, Defendant does not have any insurance coverage that is currently providing coverage for the defense or the claims alleged in this lawsuit.

As to objections,

/s/ Shaun H. Kedir

Shaun H. Kedir (0082828)

Respectfully submitted,

/s/ Shaun H. Kedir

Shaun H. Kedir (0082828)

KEDIR LAW OFFICES, LLC

Rockefeller Building 1400

614 West Superior Avenue

Cleveland, OH 44113

Office Phone: 216 (696)-1080 ext. 268

Direct Dial: 216-696-2852

Office Fax: 216-696-3177

shaunkedir@kedirlaw.com

Certificate of Service

I certify that on September 13, 2018, I served the foregoing document by email to counsel for Plaintiff, Thera Reid.

/s/ Shaun H. Kediri

Attorney for Dr. Minas Floros

From: [Peter Pattakos](#)
Sent: Friday, November 9, 2018 8:56 AM
To: [Shaun Kedir](#)
Subject: Re: Defendant Floros' Discovery Responses

Shaun,

In various of the interrogatory responses, including to Nos. 7, 9, 10, 21, and 22, Floros objects and refuses to provide a complete answer on the basis that he is "not authorized to respond" on behalf of ASC or KNR. This is not a legitimate objection or response to any such interrogatory. We are not asking him to respond on anyone else's behalf. We are asking him to respond based on his own knowledge. If he has no knowledge, he needs to say so. Otherwise, he needs to provide whatever information he's aware of.

Also, the objections to Interrogatory Nos. 6 and 11 are not legitimate. No trade secrets are at issue here.

Please provide complete responses to these interrogatories or we will have no choice but to obtain an order from the Court requiring the same.

Thank you.

Peter Pattakos
The Pattakos Law Firm LLC
101 Ghent Road
Fairlawn, OH 44333
330.836.8533 office; 330.285.2998 mobile
peter@pattakoslaw.com
www.pattakoslaw.com

This email might contain confidential or privileged information. If you are not the intended recipient, please delete it and alert us.

Exhibit 2

IN THE COURT OF COMMON PLEAS
SUMMIT COUNTY, OHIO

<p>MEMBER WILLIAMS, <i>et al.</i>,</p> <p style="text-align: center;">Plaintiffs,</p> <p>vs.</p> <p>KISLING, NESTICO & REDICK, LLC, <i>et al.</i>,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No. 2016-CV-09-3928</p> <p>Judge James A. Brogan</p>
<p>Defendant, Dr. Minas Floros', Supplemental Objections and Answers to Plaintiff Thera Reid's First Set of Interrogatories</p>	

TO: Plaintiff, Thera Reid, by and through her attorney of record, Peter Pattakos, 101 Ghent Road, Fairlawn, Ohio 44333.

COME(S) NOW, Dr. Minas Floros, named Defendant in the above-styled and numbered cause, by and through his attorney of record, and pursuant to Rule 33 of the Ohio Rules of Civil Procedure, makes and files the following Objections and Answers to Interrogatories previously filed by Plaintiff.

Supplemental Objections and Answers to Plaintiff, Thera Reid's, First Set of Interrogatories

6. Identify any other law firm to whom ASC and/or Defendant has referred cases in the last 5 years.

RESPONSE: Defendant objects to the interrogatory in that Defendant is not authorized to respond on behalf of ASC and is without knowledge on how ASC would answer. Without waiver of stated objection, Defendant has referred patients to KNR, Slater and Zurz, Gary Himmel, Alberto Pena, Elk and Elk, Amourgis and Associates, and Skolnick Weiser Law Firm. There may be others that Defendant cannot remember at this time. Will supplement if necessary.

7. Identify the circumstances under which ASC and/or Defendant prepared narrative reports to submit to KNR.

RESPONSE: Defendant objects to the interrogatory as he is not authorized to respond on behalf of ASC and does not know how ASC would respond. Defendant objects to the interrogatory as vague and overly broad. Calls for a narrative response better suited for deposition. Without waiving said objections, narrative reports provide a synopsis of a patient's experience with his doctor so that laypersons (attorneys) can understand the medical notations in the patient's file so it may be presented cohesively in the representation of their client. The narrative report provides a chiropractor's expert medical opinion on causation. The narrative report relates the client's injuries and the accident within a degree of reasonable chiropractic probability. The narrative report provides the chiropractor's expert opinion on what treatment was necessary and may be necessary in the future. The narrative report provides citation to published reports that support the chiropractor's expert opinion. The narrative report serves as an expert report, which is often required in proving a personal injury claim and in litigation. The narrative report helps attorneys with presenting, proving, and negotiating personal injury claims. For these reasons, attorneys often request narrative reports.

9. Identify any policy, procedure, training or other criteria provided to ASC employees and/or chiropractors to use in determining whether or not to prepare a narrative report.

RESPONSE: Defendant objects to the compound nature of the interrogatory. Without waiver of stated objection, there was no policy, procedure, training or other criteria provided to Defendant by ASC to use in determining whether or not to prepare a narrative report.

10. Identify the reasons why ASC provides narrative reports to KNR clients and receives a narrative fee upon referral of a KNR client to ASC as a matter of policy.

RESPONSE: Defendant objects to the compound nature of the interrogatory; Defendant objects to the interrogatory in that Defendant is not authorized to respond on behalf of ASC. Defendant does not know how ASC would respond to this interrogatory.

11. Identify all other attorneys and law firms who pay narrative fees to Floros or ASC.

RESPONSE: Defendant objects to the compound nature of the interrogatory, objects that the interrogatory as overly broad, vague, speculative and nonsensical as written. Without waiver of stated objection, Slater and Zurz, Alberto Pena, Amourgis and Associates. There may be others that Defendant cannot recall at this time. Will

supplement if necessary.

21. Identify the reasons why KNR pays the narrative fees to Floros directly as opposed to ASC or another entity.

RESPONSE: Defendant objects to the interrogatory as speculative and vague. Defendant further objects to the interrogatory as it requires Defendant to answer on behalf of KNR. Defendant does not know how KNR would respond to this interrogatory.

22. Identify the reasons why KNR referred clients to ASC based on KNR's solicitation of that client via a "red bag" of promotional materials.

RESPONSE: Defendant objects to the interrogatory as speculative, assuming facts not in evidence, and vague. Defendant further objects to the interrogatory as it requires Defendant to answer on behalf of KNR. Defendant does not know how KNR would respond to this interrogatory.

Respectfully submitted,

/s/ Shaun H. Kedir
Shaun H. Kedir 0082828
KEDIR LAW OFFICES, LLC
Rockefeller Building 1400
614 West Superior Avenue
Cleveland, OH 44113
Office Phone: 216 (696)-1080 ext. 268
Direct Dial: 216-696-2852
Office Fax: 216-696-3177
shaunkedir@kedirlaw.com

Certificate of Service

I certify that on November 20, 2018, I served the foregoing document by email to counsel for Plaintiffs.

/s/ Shaun H. Kedir
Attorney for Dr. Minas Floros

IN THE COURT OF COMMON PLEAS
SUMMIT COUNTY, OHIO

<p>MEMBER WILLIAMS, <i>et al.</i>,</p> <p style="text-align: center;">Plaintiffs,</p> <p>vs.</p> <p>KISLING, NESTICO & REDICK, LLC, <i>et al.</i>,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No. 2016-CV-09-3928</p> <p>Judge James A. Brogan</p>
---	--

**Defendant, Dr. Minas Floros' Objections and Responses to Plaintiff Thera Reid's
Second Set of Requests for Production**

TO: Plaintiff, Thera Reid, by and through her attorney of record, Peter Pattakos, 101 Ghent Road, Fairlawn, Ohio 44333.

COMES NOW, Dr. Minas Floros, named Defendant in the above-styled and numbered cause, by and through his attorney of record, and pursuant to Rule 34 of the Ohio Rules of Civil Procedure, makes and files the following Objections and Responses to Plaintiff's Second Requests for Production previously filed by Plaintiff.

**Objections and Responses to Plaintiff, Thera Reid's,
Second Requests for Production of Documents**

Please produce the following documents:

1. Produce all documents reflecting correspondence between you and any attorney or representative of the KNR law firm.

RESPONSE: Defendant objects to the request as vague, ambiguous, not limited in time or scope to the period of this lawsuit and failing to state with particularity the documents Plaintiff seeks. Defendant objects to the interrogatory because it asks Defendant to violate doctor/patient confidentiality. Defendant objects to the interrogatory as it is a violation of HIPAA regulations.

Exhibit 4

2. Produce all documents relating to or reflecting standards or procedures in treating KNR clients.

RESPONSE: Defendant objects to the request as not limited in time and/or scope to the period of this lawsuit and as failing to state with particularity the documents Plaintiff seeks. Without waiver of the stated objections, there are no documents responsive to this request.

3. Produce all documents relating to or reflecting standards or procedures in treating car accident victims.

RESPONSE: Defendant objects to the request as not relevant to the claims against Defendant in this lawsuit, not limited in time and/or scope to the period of this lawsuit and as failing to state with particularity the documents Plaintiff seeks. Without waiver of the stated objections, Defendant has no documents responsive to this request.

Respectfully submitted,

/s/ Shaun H. Kedir

Shaun H. Kedir 0082828
KEDIR LAW OFFICES, LLC
Rockefeller Building 1400
614 West Superior Avenue
Cleveland, OH 44113
Office Phone: 216 (696)-1080 ext. 268
Direct Dial: 216-696-2852
Office Fax: 216-696-3177
shaunkedir@kedirlaw.com

Certificate of Service

I certify that on December 7, 2018, I served the foregoing document by email to counsel for Plaintiffs.

/s/ Shaun H. Kedir

Attorney for Dr. Minas Floros

IN THE COURT OF COMMON PLEAS
SUMMIT COUNTY, OHIO

<p>MEMBER WILLIAMS, <i>et al.</i>,</p> <p style="text-align: center;">Plaintiffs,</p> <p>vs.</p> <p>KISLING, NESTICO & REDICK, LLC, <i>et al.</i>,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No. 2016-CV-09-3928</p> <p>Judge James A. Brogan</p>
<p>Defendant, Dr. Minas Floros', Objections and Answers to Plaintiff Thera Reid's Second Set of Interrogatories</p>	

TO: Plaintiff, Thera Reid, by and through her attorney of record, Peter Pattakos, 101 Ghent Road, Fairlawn, Ohio 44333.

COME(S) NOW, Dr. Minas Floros, named Defendant in the above-styled and numbered cause, by and through his attorney of record, and pursuant to Rule 33 of the Ohio Rules of Civil Procedure, makes and files the following Objections and Answers to the Second set of Interrogatories previously filed by Plaintiff.

Objections and Answers to Plaintiff, Thera Reids, Second Set of Interrogatories

1. State whether you are an owner of ASC.

RESPONSE: Defendant is not an owner of ASC.

2. Identify all individuals or entities with an ownership interest in ASC.

RESPONSE: Defendant objects to this interrogatory as irrelevant to the claims asserted against Defendant in this lawsuit, as nothing more than an impermissible fishing expedition, as seeking information that will not lead to the discovery of admissible evidence, and as being asked for the sole purpose of harassment. Without waiving

said objections, Defendant does not know all individuals or entities with an ownership interest in ASC.

3. Identify all chiropractors who have treated patients at ASC since 2011.

RESPONSE: Minas Floros, D.C., Michael Drummond, D.C. and unknown others when Defendant is on vacation.

4. Identify all entities or companies or investments, including real estate, in which you share an ownership or business interest with any KNR attorney or employee.

RESPONSE: Defendant objects to this interrogatory as irrelevant to the claims asserted against Defendant in this lawsuit, as nothing more than an impermissible fishing expedition, as seeking information that will not lead to the discovery of admissible evidence, and as being asked for the sole purpose of harassment. Without waiving said objections, Defendant does not share any ownership or business interest with any KNR attorney or employee in any companies, investments, or real estate.

5. For each of Plaintiffs' discovery requests where you have claimed that you are "not authorized to respond on behalf of ASC," identify the person who is so authorized to respond.

RESPONSE: Defendant objects to this interrogatory as irrelevant to the claims asserted against Defendant in this lawsuit due to ASC not being a party to this suit, as nothing more than an impermissible fishing expedition, as seeking information that will not lead to the discovery of admissible evidence, and as being asked for the sole purpose of harassment. Without waiving said objections, Defendant does not know the person authorized to respond on behalf of non-party ACS.

Respectfully submitted,

/s/ Shaun H. Kedir

Shaun H. Kedir (0082828)
KEDIR LAW OFFICES, LLC
Rockefeller Building 1400
614 West Superior Avenue
Cleveland, OH 44113
Office Phone: 216 (696)-1080 ext. 268
Direct Dial: 216-696-2852
Office Fax: 216-696-3177
shaunkedir@kedirlaw.com

Certificate of Service

I certify that on November ____, 2018, I served the foregoing document by email to counsel for Plaintiffs.

/s/ Shaun H. Kedir

Attorney for Dr. Minas Floros