

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

MEMBER WILLIAMS, et al.,	)	CASE NO. CV-2016-09-3928
	)	
Plaintiffs,	)	JUDGE JAMES A. BROGAN
	)	
v.	)	
	)	
KISLING, NESTICO & REDICK, LLC, et al.,	)	<b><u>DEFENDANTS' NOTICE OF DEPOSITION OF</u></b>
	)	<b><u>PLAINTIFF RICHARD HARBOUR DUCES</u></b>
Defendants.	)	<b><u>TECUM</u></b>
	)	
	)	

Please take notice that, pursuant to the Ohio Rules of Civil Procedure, Defendants Kisling, Nestico & Redick, LLC, Alberto R. Nestico, and Robert Redick, by and through undersigned counsel, will take the discovery deposition of **Plaintiff Richard Harbour**, upon oral examination, on **Tuesday, January 29, 2019 at 9:30 a.m.** at the offices of Kisling, Nestico & Redick, 3412 West Market St., Akron, OH 44333 (Phone: 330-869-9007), before a notary public. The deposition will be taken stenographically and by audiovisual reporting. Said deposition will continue from day to day until completed.

In addition to appearing for oral examination, it is requested that the deponent bring to the deposition the documents listed on Exhibit A attached hereto.

Respectfully submitted,

/s/ James M. Popson  
 James M. Popson (0072773)  
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Counsel for Defendants  
 Kisling, Nestico & Redick LLC, Alberto R.  
 Nestico, and Robert Redick

## EXHIBIT A

### A. DEFINITIONS

For the purpose of these requests, unless otherwise stated, the following terms shall have the meanings indicated:

1. "Plaintiff" or "you" or "your" means Plaintiff Monique Norris, as well as all of her employees, attorneys, agents, partners, members, affiliates, representatives, and all other persons acting on her behalf.
2. "KNR" means Defendant Kisling, Nestico & Redick, LLC, and all of its officers, directors, employees, agents, partners, members, shareholders, affiliates, representatives, and all other persons acting on its behalf.
3. "Nestico" means Defendant Alberto R. Nestico, a member of KNR.
4. "Redick" means Defendant Robert W. Redick.
5. "Ghoubrial" means Defendant Sam Ghoubrial, M.D.
6. "Communication" means any written or oral statement or notation of any nature, including but not limited to conversations, correspondence, dialogue, discussions, e-mails, interviews, consultations, meetings, telephone calls, letters, telecopies, telephone logs, diaries, agreements and other understandings between or among two or more persons, and all other forms of oral or written expression by which information may be conveyed.
7. "Document" or "documents" means any and all records, statements, memoranda, reports, letters, notes, messages, written communications, correspondence, emails, text messages, social media communications (e.g., Twitter and Facebook), contracts, forms, manuals, charts, graphs, data sheets, spreadsheets, bulletins, computer runs, journals, ledgers, books, bills, transcripts, checks, drafts, photographs, audio and/or video tape recordings, mechanical and/or electrical records, electronic documents, computer documents, punch cards, print-out sheets, notes, books of account, brochures, circulars, magazines, notebooks, diaries, calendars, appointment books, tables, papers, minutes of meetings of any kind, drafts of any documents, data processing disks or tapes or computer produced interpretations of the above, and any and all tangible items or written matter whatsoever of any kind or nature in Plaintiff's possession or control or within the possession and control of Plaintiff's attorney, agents, or other representative of Plaintiff and Plaintiff's attorney.
8. "Relating to" or "relate to" shall include, without limitation, embodying, pertaining to, reflecting, referring to, regarding, referencing, concerning, constituting, comprising, discussing, or having any bearing upon or logical or factual connection with the subject matter in question.

**B. DOCUMENTS TO BE PRODUCED**

You are requested to bring with you any and all documents in your possession or in the possession of your attorney relating to the following:

1. All documents relating to income earned by Plaintiff from January 1, 2013 to the present, including, but not limited to, Plaintiff's federal and state income tax forms, W-2 forms, 1099 forms, payroll forms, and payroll stubs.
2. All documents relating to communications between Plaintiff and KNR at any time.
3. All documents relating to communications between Plaintiff and Nestico at any time.
4. All documents relating to communications between Plaintiff and Redick at any time.
5. All documents related to communication between Plaintiff and Ghoubrial at any time.
6. All documents relating to your four separate civil cases involving four separate car accidents you were in between 2011 and 2016.
7. All documents relating to workers' compensation claims filed or maintained by you between January 1, 2011 and January 1, 2017.
8. Any and all documents you have reviewed in preparation for your deposition.

**CERTIFICATE OF SERVICE**

I hereby certify that on this 27th day of December, 2018, the Notice of Deposition of Plaintiff Richard Harbour Duces Tecum was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's electronic filing system.

/s/ James M. Popson  
James M. Popson (0072773)