

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

MEMBER WILLIAMS, et al.,

Plaintiffs,

v.

KISLING, NESTICO & REDICK, LLC, et al.,

Defendant.

Case No.: 2016-09-3928

Judge: James Brogan

**KNR DEFENDANTS' BRIEF IN
OPPOSITION TO PLAINTIFFS'
MOTION FOR PROTECTIVE
ORDER AND SANCTIONS**

Now come the KNR Defendants, by and through counsel, and hereby join in Defendant Floros' Brief in Opposition to Plaintiffs' Motion for Protective Order and Sanctions. As set forth in the Affidavit of Dr. Floros, KNR's only involvement with this issue was receiving a phone call from Dr. Floros regarding Mr. Carter's contact with Dr. Floros. (Affidavit of Dr. Floros at ¶27). No attorney at KNR met with or spoke with Mr. Carter on April 17, 2019, or thereafter. To the extent that Mr. Carter is, in fact, represented by Mr. Pattakos as it relates to this litigation, it appears that it was Mr. Carter who initiated contact with the represented party – Dr. Floros. Thus, it would also appear that Plaintiffs' motion seeking a Protective Order and sanctions is unnecessary and frivolous. There is no evidence whatsoever that any Defendant in this case initiated contact with a represented party, or that counsel for any defendant directed anyone to contact represented parties.

For the reasons stated herein and the reasons set forth in Dr. Floros' brief regarding this issue, the KNR Defendants respectfully request that this Court deny Plaintiffs' Motion for Protective Order and Sanctions.

Respectfully submitted,

/s/ James M. Popson

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Counsel for KNR Defendants

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was filed electronically with the Court on this 1st day of May, 2019. The parties may access this document through the Court's electronic docket system.

/s/ James M. Popson

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