

IN THE COURT OF COMMON PLEAS
SUMMIT COUNTY, OHIO

MEMBER WILLIAMS, et al., Plaintiffs, vs. KISLING, NESTICO & REDICK, LLC, <i>et al.</i> , Defendants.	Case No. CV-2016-09-3928 Judge James A. Brogan Notice of Filing Exhibits to the Depositions of Gary Petti, Kelly Phillips, and Richard Gunning, M.D.
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Plaintiffs hereby give notice of filing exhibits to the depositions of Gary Petti, taken on March 1, 2019 (attached as **Exhibit A**), Kelly Phillips, taken on February 22, 2019 (attached as **Exhibit B**), and Richard Gunning, M.D., taken on December 12, 2018 (attached as **Exhibit C**).

Respectfully submitted,

/s/ Rachel Hazelet

Peter Pattakos (0082884)

Rachel Hazelet (0097855)

THE PATTAKOS LAW FIRM LLC

101 Ghent Road

Fairlawn, Ohio 44333

Phone: 330.836.8533

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peter@pattakoslaw.com

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The Hoyt Block Building, Suite 400

Cleveland, Ohio 44113

Phone: 216.781.7956

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jcohen@crklaw.com

Attorneys for Plaintiffs

Certificate of Service

The foregoing document was filed on May 15, 2019, using the Court's electronic-filing system, which will serve copies on all necessary parties.

/s/ Rachel Hazelet
Attorney for Plaintiffs

EXHIBIT A

IN THE COURT OF COMMON PLEAS
SUMMIT COUNTY, OHIO

<p>MEMBER WILLIAMS,</p> <p>Plaintiff,</p> <p>vs.</p> <p>KISLING, NESTICO & REDICK, LLC, <i>et al.</i>,</p> <p>Defendants.</p>	<p>Case No. CV-2016-09-3928</p> <p>Judge Alison Breaux</p>
<p>AFFIDAVIT OF GARY PETTI</p>	

I, Gary Petti, having been duly sworn, have personal knowledge of the following matters of fact, and testify as follows:

1. In March of 2012, I became employed as a prelitigation attorney with the law firm of Kisling, Nestico & Redick, LLC ("KNR") in Akron, Ohio. Before my employment with KNR, I had worked since 1997 as a personal-injury lawyer with the Akron-based law firm of Slater & Zurz, primarily on behalf of insurance companies on the defense side, and car-accident victims on the plaintiffs' side. I resigned from my position at Slater & Zurz to join KNR because my practice at Slater & Zurz required me to travel frequently to Columbus, Ohio, and the KNR position would allow me to remain closer to my home in Wadsworth, Ohio while my wife went back to school to obtain her degree as a nurse-anesthetist. My wife and I have three children, who, at the time, were ages 6, 10, and 13. When I left Slater & Zurz to join KNR, I took



approximately 200 cases with me, and continued to represent these clients through KNR.

2. While I was working for Slater & Zurz, I first learned that KNR paid kickbacks to certain chiropractors in the form of a "narrative fee." When I spoke with certain chiropractors from Plambeck-owned clinics who would occasionally refer me cases, they told me that KNR paid them a narrative-report fee every time the chiropractors referred a case to KNR, and asked if I would do the same. I told them that I would not. I did not understand at the time that this was KNR's firm-wide policy, as opposed to a practice followed by certain KNR attorneys, and when I went to work for KNR, I assumed that I would not be required to charge my clients for unnecessary narrative-fee expenses.

3. When I began working at KNR, I primarily worked on the cases that I had brought to the firm, and when I closed these cases, no narrative fee was charged to these clients because I never ordered narrative reports for them. It was always my understanding that the decision as to whether a narrative report is worthwhile in a case is the attorney's to make, upon consultation with the client. I always understood that narrative reports were only properly used to allow a medical professional to explain why the plaintiff's injuries were different or more challenging than they might appear from the contents of the medical records, and in doing so, provide information that was not included in the records.

4. As I began to work on cases from KNR that had been taken in and previously worked on by other KNR attorneys, I would see the narrative fee appear on the client's settlement statement. I assumed that these fees were for narrative reports that were ordered by the previous KNR attorney who worked on the case. I soon learned that these narrative reports ordered by KNR were very different from the narrative reports that I was accustomed to using, and were essentially worthless, containing no information that was not already apparent from the client's medical records. The narrative reports provided by Dr. Minas Floros of Akron Square

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Chiropractic, a Plambeck-owned clinic in Akron, were especially bad, and the worst narrative reports I had ever seen. They appeared to follow a basic formula of a few sentences where Floros merely filled in the blanks with information that was readily apparent from the medical records. It was clear that virtually no time or effort could have been expended on his worthless narratives—certainly no effort remotely justifiable by the narrative fees being paid.

5. As I continued to work at KNR, and continued to close the cases that I brought to the firm, I began working on KNR cases that I had taken in while at the firm. On several occasions while I was working at KNR, I took calls from chiropractors from Plambeck-owned clinics who were present on the line with a patient that the chiropractors sought to refer to KNR.

6. In approximately mid-to-late November of 2012, my paralegal Megan Jennings began to collect a package of documentation on a case that was to be submitted to the defendant's insurance company, including police reports, and medical records. When she submitted this package to me for my approval, I noticed a charge for a narrative report in the documents. I immediately expressed my surprise and disapproval that the narrative fee would be included in this package, and asked Jennings why this was the case. I also told her that I am the lawyer, so I'm the one who gets to advise the client as to whether the narrative report is a justifiable expense. In response, Jennings informed me that narrative fees are paid on every case that comes in from Akron Square Chiropractic and other Plambeck-owned clinics, and that the check is made out to the chiropractor personally and sent directly to the chiropractor's house. I then told her that I would not approve of any such fees being charged to my clients without my express approval.

7. Within a few days, I was working with Jennings on another case that was affiliated with Akron Square Chiropractic. On November 28, 2012; I emailed Jennings about this case to instruct her that no narrative fee was to be paid on it. I wrote, "Remember, no reports from

doktor flooroos,” deliberately misspelling his name in an effort to defuse tension with humor. I also wrote, as a follow-up to our previous conversation, “I’ve asked a number of adjusters about the importance of those reports and the most common response is nearly uncontrolled laughter.” This comment, while hyperbolic, referred to the fact that on the occasions when I attempted to refer to Plambeck narrative-reports in negotiating settlements on behalf of KNR clients, the insurance adjusters paid absolutely no regard to these reports.

8. Within approximately two weeks of having sent this email to Jennings, KNR terminated my employment. I was told by KNR attorney John Regan that I was “not a good fit” there. I could not disagree and little else was said in the meeting. I understood that by stating that I was “not a good fit” at KNR, Regan was only referring to my unwillingness to participate in KNR’s schemes to defraud their clients, like with the narrative fees, as there were no other issues of which I was made aware. At that point, I was glad to leave KNR and the practice of law, and have since been working in the construction business.

9. During my time working at KNR, I became aware of the firm’s so-called investigators, including Aaron Czetli and Michael Simpson. I would often witness Czetli and Simpson performing odd jobs around KNR’s Akron office, such as stuffing envelopes and putting up holiday lights. Although I had ample opportunity to observe their activities, comings, goings, and work-product, I never witnessed or became aware of these so-called investigators performing any actual investigations. To my knowledge, their only involvement with client matters was to meet potential clients and sign them to KNR fee agreements.

10. Within a few months before KNR terminated my employment, KNR Managing Partner Rob Nestico criticized me in front of other KNR attorneys for my unwillingness to be dishonest to potential KNR clients. This happened in a meeting where all KNR prelitigation attorneys were present, and Nestico played a recording of a phone call that I had over the firm’s phone line

with a potential client. On this call, a car-accident victim told me that he was an independent contractor and sub-contractor, and was concerned about recovering lost wages for work missed due to his car-accident injuries. I advised this potential client that his status as a contractor would make it more complicated to recover damages because he would have to prove not only that he did not work as a result of the accident, but also that he would have otherwise worked on certain jobs, for a certain amount of money during the same time period. After Nestico played the recording of the phone call for everyone in the room, he asked what I had done wrong on the call. The answer, according to Nestico, was that I was too honest with the client in advising him of the complications in recovering damages due to his status as an independent contractor, and that I did not tell the potential client "what he wanted to hear."

11. On March 23, 2017, I received a phone call from a man who identified himself as Attorney Brian Roof with the law firm of Sutter O'Connell, and said that he represents KNR and Nestico in the above-captioned lawsuit. He asked me if I was familiar with the lawsuit and the recently filed proposed Second Amended Complaint. I told him that I was, and had read a press release about the Second Amended Complaint. He asked me about my time at KNR and what documents I took with me when I left, and he said that it was his clients' position that all such documents were confidential. I interpreted this as a threat, and told Mr. Roof that as far as I'm concerned, everything in the press release is true, and that I was terminated by KNR because of my refusal to participate in their kickback schemes.

12. Every document I have disclosed and all information I have provided to Plaintiffs' counsel in this litigation was and is, to the best of my knowledge and understanding, evidence of fraud and illegal activity by KNR. I do not believe that any of it is confidential or subject to any confidentiality agreement. I can't imagine that my own emails mocking the fraud would be confidential.

I affirm the above to be true and accurate to the best of my knowledge under penalty of perjury.

Gary M. [Signature] 4/3/17
Signature of Affiant Date

State of Ohio

County of Summit

Sworn to and subscribed before me on 4-3-2017

at Sharon Center, Ohio.

[Signature]
(Signature of Notary Public)



Peter Pattakos
(Printed Name of Notary Public)

Notary Public, State of Ohio

My commission expires on N/A

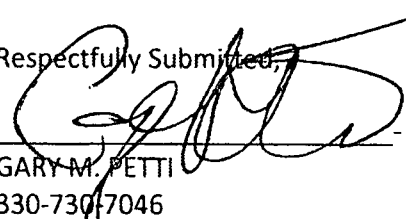
IN THE SUMMIT COUNTY COURT OF COMMON PLEAS
SUMMIT COUNTY, OHIO

MEMBER WILLIMS, ET AL.	)	CASE NO. 2016 09 3928
)	
PLAINTIFFS	)	JUDGE BROGAN
)	
V.)	
	)	<u>NOTICE OF SERVICE</u>
KISLING, NESTIC & REDICK, LLC, ET AL.)	
)	
DEFENDANTS)	

Now Come, Gary M. Petti and gives Notice to the Court that he has supplied the documents sought by Plaintiff's counsel pursuant to subpoena. The undersigned produces these documents as required by the subpoena and subject to any and all Protective Orders issued or to be issued by the Court herein.

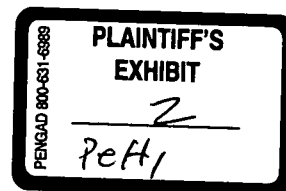
This Notice is not being filed with the Court directly, but prepared and provided solely for the convenience and clarity of the undersigned and the parties hereto.

Respectfully Submitted,



GARY M. PETTI
330-730-7046

GMP000001



Subject: FW: [REDACTED]

From: gpetti@knrlegal.com

To: pettigary@yahoo.com

Date: Thursday, December 6, 2012, 4:09:32 PM EST

Gary M. Petti

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

From: Fitzgerald, Dave [mailto:Dave_Fitzgerald@CINFIN.com]

Sent: Thursday, December 06, 2012 4:09 PM

To: Gary Petti

Subject: [REDACTED]

Gary,

GM/P000002

This will confirm our settlement of the above captioned matter for Tyree Morgan in the amount of \$7,000.00 which includes, ODJFS lien of \$368.81.

Please provide the SSN for [REDACTED]

I will check into the Probate issue and get back to you.

Thanks

David Fitzgerald

Senior Claims Representative

The Cincinnati Insurance Company

Office: (937) 667-9240

Cell: (937) 269-3392

Fax: 1-888-262-1257

Confidentiality notice: The information included in this e-mail, including any attachments, is for the sole use of the intended recipient and may contain confidential and privileged information. Any unauthorized review, use, disclosure, distribution or similar action is prohibited. If you are not the intended recipient, please contact the sender and delete

GNP000003

Subject: FW: November Intakes

From: gpetti@knrlegal.com

To: pettigary@yahoo.com

Date: Monday, December 3, 2012, 4:00:16 PM EST

Gary M. Petti

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

From: Brandy Lamtman

Sent: Monday, December 03, 2012 3:51 PM

To: Prelit Group

Subject: November Intakes

Importance: High

Intakes During Business Hours for November:

GMP000004

Gary P	36	9%
Jason	47	11%
Josh	116	28%
Ken	56	13%
Paul	92	22%
Horton	74	18%

Just a reminder that objective cases will be assigned to the attorneys who are doing intakes!! GREAT JOB Josh!!

Brandy Lamtman

Executive Assistant to Attorney Nestico

Kisling, Nestico, & Redick, LLC

3412 W. Market Street

Akron, Ohio 44333

Phone: 330-869-9007

Fax: 330-869-9008

brandy@knrlegal.com

GMP000005

Subject: FW: Lending co

From: gpetti@knrlegal.com

To: pettigary@yahoo.com

Date: Monday, December 3, 2012, 8:43:48 AM EST

Gary M. Petti
Kisling, Nestico & Redick
Attorney At Law
3412 W. Market St., Akron, Ohio 44333
Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

Locations: Akron, Canton, Cleveland, Cincinnati, Columbus, Dayton, Toledo & Youngstown

GMP000006

-----Original Message-----

From: Rob Nestico

Sent: Friday, November 30, 2012 6:20 PM

To: Attorneys

Cc: Prelit Group

Subject: Lending co

Please use liberty capital until further notice.

Sent from iPhone of Rob Nestico

Subject: FW: Lights and Windows

From: gpetti@knrlegal.com

To: pettigary@yahoo.com

Date: Wednesday, November 28, 2012, 9:45:24 AM EST

Gary M. Petti

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

From: Gary Petti

Sent: Wednesday, October 24, 2012 9:06 AM

To: melisarn3@yahoo.com

Subject: FW: Lights and Windows

Importance: High

GMPO00007

Gary M. Petti

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

GMPO000008

From: Robert Redick
Sent: Tuesday, October 23, 2012 5:46 PM
To: Staff
Cc: Rob Nestico
Subject: Lights and Windows
Importance: High

PLEASE DO NOT leave any windows open when you leave for the evening. It defeats the purpose of having an alarm system.

PLEASE DO NOT leave your lights on when you leave.

PLEASE log out of all of your programs, lock your computer and turn off your monitors.

There may come and time when we start pro-rating our electric bill and distributing it among the staff. Your mother's DO NOT work here.

Please take care of your own work space.

Thank you

Robert W. Redick

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

GMP000009

Subject: FW: [REDACTED]

From: gpetti@knrlegal.com

To: pettigary@yahoo.com

Date: Wednesday, November 28, 2012, 9:39:31 AM EST

Gary M. Petti

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

From: Rachel Schilling

Sent: Wednesday, November 28, 2012 9:38 AM

To: Megan Jennings; Gary Petti

Subject: FW: [REDACTED]

GMP000010



MSFaxConsoleTempPreview-#00001cd0cc6ff691.tif
13.6kB

GMP000011

Subject: FW: [REDACTED] - Remember, no reports from doktor flooroos...

From: gpetti@knrlegal.com

To: pettigary@yahoo.com

Date: Wednesday, November 28, 2012, 9:14:37 AM EST

Gary M. Petti

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

From: Gary Petti

Sent: Wednesday, November 28, 2012 9:05 AM

To: Megan Jennings

Subject: FW: [REDACTED] - Remember, no reports from doktor flooroos...

I've asked a number of adjusters about the importance of those reports and the most common response is nearly uncontrolled laughter.

GMP000012

Gary M. Petti

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

GMP000013

From: Rachel Schilling
Sent: Wednesday, November 28, 2012 8:49 AM
To: Megan Jennings; Gary Petti
Subject: FW: [REDACTED]



MSFaxConsoleTempPreview-#00001cd076f2e079.tif
344.5kB

Subject: FW: WD request-[REDACTED]

From: gpetti@knrlegal.com

To: pettigary@yahoo.com

Date: Tuesday, November 27, 2012, 5:02:20 PM EST

Gary M. Petti

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

From: Gary Petti

Sent: Tuesday, November 27, 2012 4:40 PM

To: Robert Redick

Subject: RE: WD request-[REDACTED]

If I had a crystal ball, I would not have opened it at Slater & Zurz. Alas, I do not..... As far as why the staff here opened it, you would know better than I.

GMP000014

Gary M. Petti

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

GMP000015

From: Robert Redick

Sent: Tuesday, November 27, 2012 3:39 PM

To: Gary Petti

Subject: RE: WD request: [REDACTED]

Ok to withdraw – it should never have been opened.

Robert W. Redick

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

From: Gary Petti
Sent: Tuesday, November 27, 2012 2:04 PM
To: Robert Redick; Rob Nestico
Subject: FW: WD request-[REDACTED]

See prior request below:

Gary M. Petti

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

From: Gary Petti
Sent: Thursday, September 20, 2012 12:00 PM
To: Rob Nestico; Robert Redick
Subject: WD request-[REDACTED]

I brought this case with me from S & Z after she had been formerly represented here. KNR withdrew, she came to me with a bad offer. Offer has not changed and will never change. Medicaid lien plus \$500. Ms. Gaines had exited the car wash and stopped to allow her vehicle to be dried. The next car through bumped her

GMP000016

from behind. She went to ER because she had a feeding tube and needed it checked. 3 weeks later, after orally agreeing to the offer, she went to see ASC, who referred her here and also to Dr. G. Offer is off the table if we file.

Authority to WD, again?

Gary M. Petti

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

GMP000017

Subject: FW: Gotta love our clients!!!

From: gpetti@knrlegal.com

To: pettigary@yahoo.com

Date: Tuesday, November 27, 2012, 3:25:57 PM EST

Gary M. Petti
Kisling, Nestico & Redick
Attorney At Law
3412 W. Market St., Akron, Ohio 44333
Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

Locations: Akron, Canton, Cleveland, Cincinnati, Columbus, Dayton, Toledo & Youngstown

-----Original Message-----

From: Rob Nestico

Sent: Tuesday, November 27, 2012 3:25 PM

To: Nomiki Tsarnas

Cc: Attorneys; Brandy Lamtman

Subject: Re: Gotta love our clients!!!

They don't like macaroni grill? Next time get Popeyes chicken.

Sent from iPhone of Rob Nestico

On Nov 27, 2012, at 3:19 PM, "Nomiki Tsarnas" <Tsarnas@knrlegal.com> wrote:

> One of our clients sold our gift card to a pawn shop April's friend works at!!!! LMAO!!!!

>

> From: 3305064473@vzwpix.com [mailto:3305064473@vzwpix.com]

> Sent: Tuesday, November 27, 2012 3:17 PM

> To: Nomiki Tsarnas

> Subject:

>

>

> <IMG_6568.jpg>

GMP000018

Subject: FW: Mail Disbursement

From: gpetti@knrlegal.com

To: pettigary@yahoo.com

Date: Tuesday, November 27, 2012, 1:07:20 PM EST

Gary M. Petti

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

From: Megan Jennings

Sent: Tuesday, November 27, 2012 12:28 PM

To: Robert Redick

Cc: Brandy Lamtman; Gary Petti

Subject: RE: Mail Disbursement

Importance: High

GMP000019

I just mapquested the address, this Bainbridge is 3 hours away south of Columbus.....

From: Robert Redick
Sent: Tuesday, November 27, 2012 12:25 PM
To: Megan Jennings
Cc: Brandy Lamtman
Subject: RE: Mail Disbursement
Importance: High

NO

Bainbridge is about 40 minutes from here.

This needs to be done in person.

Also – please copy the attorney on these requests so that they know that they know

- A- Being done
- B- The outcome of the request

Robert W. Redick

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

GMP000020

From: Megan Jennings
Sent: Tuesday, November 27, 2012 12:06 PM
To: Robert Redick
Cc: Brandy Lamtman
Subject: Mail Disbursement

[REDACTED] lives in Bainbridge

Settled for 11000

KNR fee 2400

Client 4025.65

Ok to mail?

GMP000021

Megan Jennings

Kisling, Nestico & Redick

Paralegal to Attorney Gary Petti

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

Subject: FW: Settlement Memos

From: gpetti@knrlegal.com

To: pettigary@yahoo.com

Date: Tuesday, November 20, 2012, 4:03:25 PM EST

Gary M. Petti
Kisling, Nestico & Redick
Attorney At Law
3412 W. Market St., Akron, Ohio 44333
Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

Locations: Akron, Canton, Cleveland, Cincinnati, Columbus, Dayton, Toledo & Youngstown

-----Original Message-----

From: Rob Nestico

Sent: Thursday, November 08, 2012 5:08 PM

To: Brandy Brewer

Cc: Staff

Subject: Re: Settlement Memos

If anyone does this or faxes any client information outside this office without approval will be terminated without question.

Sent from iPhone of Rob Nestico

On Nov 8, 2012, at 5:02 PM, "Brandy Brewer" <brandy@knrlegal.com> wrote:

> No settlement memos are to leave the office without Rob's approval until further notice. No fax disbursements and no mail disbursements period. If you have any approvals tomorrow, please bring to me.

>

> Sent from my iPhone

GMP000022

Subject: FW: [REDACTED] Demand Package

From: gpetti@knrlegal.com

To: pettigary@yahoo.com

Date: Tuesday, November 20, 2012, 3:04:59 PM EST

Gary M. Petti

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

From: Matt Stewart

Sent: Monday, November 19, 2012 7:19 PM

To: Gary Petti

Subject: [REDACTED] Demand Package

Importance: High

I went thru Megan's attempt at this demand package.

GMP000023

I have no words to express how it was organized and presented....it is however very disturbing.

Regardless....I reorganized the entire demand exactly how it should be presented.

You will see that better than ½ of her pages were removed as being duplicates (some items copied into package as many as 4 times), not MVA related AND I EVEN FOUND INSURANCE CORRESPONDENCE AND OTHER PRIVILEGED DOCUMENTS COPIED INTO THE DEMAND....this is not acceptable under any circumstance.

She, or someone, will have to re-do both the value items and specials summary-however-I have organized it and tagged it in such a way that it should be very easy. Let me know if you need anything else.

Gary, I am putting this in one of your desk drawers, hidden from plain view, to be a little conspicuous.

Matthew S. Stewart

Kisling, Nestico & Redick

Paralegal

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

GMP000024

Subject: FW: Referrals

From: gpetti@knrlegal.com

To: pettigary@yahoo.com

Date: Thursday, November 15, 2012, 9:05:33 AM EST

Gary M. Petti

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland, Cincinnati,
Columbus, Dayton, Toledo & Youngstown***

From: Brandy Lamtman

Sent: Thursday, November 15, 2012 8:50 AM

To: Staff

Subject: Fwd: Referrals

Sent from my iPhone

GMP000025

Begin forwarded message:

From: Rob Nestico <nestico@knrlegal.com>
Date: November 15, 2012, 8:22:29 AM EST
To: Rob Nestico <nestico@knrlegal.com>
Cc: Brandy Lamtman <brandy@knrlegal.com>
Subject: Referrals

Please make sure to refer ALL Akron cases to ASC this month. We are 30-0. Also any time you refer a patient to any Chiro have your assistant follow up and make sure they go on obviously cases that are signed up outside of Chiro office.

Sent from iPhone of Rob Nestico

GMP000026

Subject: FW: Franklin Red Bag Deliveries

From: gpetti@knrlegal.com

To: pettigary@yahoo.com

Date: Tuesday, November 13, 2012, 8:45:58 AM EST

Gary M. Petti

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

From: Brandy Lamtman

Sent: Tuesday, November 13, 2012 8:39 AM

To: Intake; Attorneys

Cc: Rob Nestico; Holly Tusko

Subject: Franklin Red Bag Deliveries

Importance: High

GMPP000027

Any case that has the referral FRANKLIN RED BAG needs to be referred to Columbus Chiropractic West.

I am also working on another referral list for you for the rest of the week.

Brandy Lamtman

Executive Assistant to Attorney Nestico

Kisling, Nestico, & Redick, LLC

3412 W. Market Street

Akron, Ohio 44333

Phone: 330-869-9007

Fax: 330-869-9008

brandy@knrlegal.com

GMP000028

Subject: FW: [REDACTED] PCF missed

From: gpetti@knrlegal.com

To: pettigary@yahoo.com

Date: Friday, November 9, 2012, 3:56:31 PM EST

Gary M. Petti

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

From: Robert Redick

Sent: Friday, October 19, 2012 1:08 PM

To: Gary Petti

Cc: Robert Redick; Rob Nestico

Subject: RE: [REDACTED] PCF missed

OK – then the \$311.00 will be paid and deducted not from your fee total for October but from your bonus total from October.

GMPO00029

Attention to detail – especially in disbursements – will avoid these issues.

Robert W. Redick

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

GMP000030

From: Gary Petti

Sent: Friday, October 19, 2012 1:01 PM

To: Robert Redick

Subject: RE: [REDACTED] PCF missed

I did know about the advance. I just didn't cross check the settlement memo when I disbursed to see if it was on there. Clearly, it was not. Unfortunately, the advance funded and we disbursed on the same day. However, I signed the advance on 10/8, 3 days before that advance was finalized.

Gary M. Petti

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

From: Robert Redick
Sent: Friday, October 19, 2012 12:51 PM
To: Gary Petti; Rob Nestico
Cc: Robert Redick
Subject: RE: [REDACTED] PCF missed
Importance: High

I don't understand. You would have had to sign the acknowledgement for the loan BEFORE they would give it to him.

How could we not have known about this BEFORE the disbursement.

The fee was \$1,000.00 and IF we have to pay that – the amount, in full, will be deducted from your bonus for this month.

I would suggest you investigate exactly how this happened because given what I know of the process, there should be

No way that you and the LA did not know about the loan BEFORE the disbursement.

Robert W. Redick

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

GMP000031

From: Gary Petti
Sent: Friday, October 19, 2012 12:45 PM
To: Rob Nestico; Robert Redick
Subject: [REDACTED] - PCF missed

I settled his case with his approval. While waiting on the check he called regarding an advance. I tried to discourage him a bit knowing it would be only days before he was disbursed. He got his advance (250), but it was never added to the value screen. The settlement check arrived within days and his file has been disbursed without any payment to PCF. Today we received the bright orange PCF folder. Payback is 311.

Gary M. Petti

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

GMP000032

Subject: FW: Compensation

From: gpetti@knrlegal.com

To: pettigary@yahoo.com

Date: Friday, November 9, 2012, 3:55:44 PM EST

Gary M. Petti
Kisling, Nestico & Redick
Attorney At Law
3412 W. Market St., Akron, Ohio 44333
Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

Locations: Akron, Canton, Cleveland, Cincinnati, Columbus, Dayton, Toledo & Youngstown

-----Original Message-----

From: Rob Nestico

Sent: Sunday, April 29, 2012 11:34 PM

To: Staff

Subject: Compensation

To ALL staff:

Please accept this as a final warning to ALL staff. If it comes to my attention or any managements attention that you discuss your compensation or bonus with ANY OTHER KNR employee this will result in IMMEDIATE termination for cause.

As I have mentioned before NOTHING good comes from discussing these matters with other staff.

This information is confidential and MUST NOT be discussed with ANYONE.

If you have any question let me know.

Thank you

Rob Nestico
Attorney at Law
Kisling, Nestico & Redick

GMP000033

Subject: FW: new intake [REDACTED] and wife need dr referrals

From: gpetti@knrlegal.com

To: pettigary@yahoo.com

Date: Friday, November 9, 2012, 3:52:01 PM EST

Gary M. Petti

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

From: Brandy Brewer

Sent: Tuesday, October 09, 2012 2:12 PM

To: Holly Tusko; Jason St. George; Courtney Warner

Cc: Christi Rowe; Kathryn Holupka; Matt Stewart; Megan Jennings; Gary Petti

Subject: RE: new intake [REDACTED] and wife need dr referrals

This case stays with Jason though....just transfer to Matt.

GMP000034

Brandy Brewer

Kisling, Nestico & Redick

Executive Assistant to Attorney Nestico

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

Locations: Akron, Canton, Cleveland, Cincinnati, Columbus, Dayton, Toledo & Youngstown

GMP000035

From: Holly Tusko

Sent: Tuesday, October 09, 2012 2:03 PM

To: Jason St. George; Courtney Warner

Cc: Christi Rowe; Kathryn Holupka; Brandy Brewer; Matt Stewart; Megan Jennings; Gary Petti

Subject: RE: new intake [REDACTED] and wife need dr referrals

No prob, we are re-assigning as needed. Thanks for the info, otherwise we wouldn't have known so quickly!

Holly Tusko

Kisling, Nestico & Redick

Intake Manager

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

Locations: Akron, Canton, Cleveland, Cincinnati, Columbus, Dayton, Toledo & Youngstown

From: Jason St. George
Sent: Tuesday, October 09, 2012 2:02 PM
To: Holly Tusko; Courtney Warner
Cc: Christi Rowe; Kathryn Holupka; Brandy Brewer; Matt Stewart; Megan Jennings; Gary Petti
Subject: RE: new intake [REDACTED] and wife need dr referrals

He just told me about fracture when I called him back for a referral

From: Holly Tusko
Sent: Tuesday, October 09, 2012 1:58 PM
To: Courtney Warner; Jason St. George
Cc: Christi Rowe; Kathryn Holupka; Brandy Brewer; Matt Stewart; Megan Jennings; Gary Petti
Subject: RE: new intake [REDACTED] and wife need dr referrals

Well we didn't know that there was an objective injury until NOW per your email below (this info wasn't on the original intake) so there was no way for us to know this...We will need to re-assign accordingly.

Katie / Christi: Please re-assign to Matt / Gary P and get the file to Matt ASAP. (this was referred by a current client of Gary P)

Thanks.

Holly Tusko
Kisling, Nestico & Redick

Intake Manager

GMP000036

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

*Locations: Akron, Canton, Cleveland, Cincinnati, Columbus,
Dayton, Toledo & Youngstown*

From: Courtney Warner
Sent: Tuesday, October 09, 2012 1:52 PM
To: Holly Tusko; Jason St. George
Subject: RE: new intake [REDACTED] and wife need dr referrals

Client just advised Jason he has fractured sternum- should be S case.

Courtney Warner
Kisling, Nestico & Redick

Paralegal

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

From: Holly Tusko
Sent: Tuesday, October 09, 2012 1:49 PM

GMP000037

To: Courtney Warner; Jason St. George

Subject: RE: new intake [REDACTED] and wife need dr referrals

Yes because we located the referred by name in Needles and it is a current client – petti referral. Initially the referred by was “word of mouth” so when we found the current client in Needles I re-assigned accordingly.

☺

Holly Tusko

Kisling, Nestico & Redick

Intake Manager

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

*Locations: Akron, Canton, Cleveland, Cincinnati, Columbus,
Dayton, Toledo & Youngstown*

From: Courtney Warner

Sent: Tuesday, October 09, 2012 1:46 PM

To: Jason St. George

Cc: Holly Tusko

Subject: RE: new intake [REDACTED] and wife need dr referrals

Megan & Gary got that case???

Courtney Warner

Kisling, Nestico & Redick

Paralegal

GMPO00038

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

From: Jason St. George
Sent: Tuesday, October 09, 2012 1:43 PM
To: Courtney Warner
Subject: RE: new intake [REDACTED] and wife need dr referrals

We need to set up his wife at Akron Square-can you do that?

From: Courtney Warner
Sent: Tuesday, October 09, 2012 10:30 AM
To: Jason St. George
Subject: RE: new intake [REDACTED] and wife need dr referrals

Dr? - Valley Family Care that's Dr. Pogorelec- hes PCP.

If chiro- Akron Square

Courtney Warner
Kisling, Nestico & Redick

GMP000039

Paralegal

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

From: Jason St. George
Sent: Tuesday, October 09, 2012 10:27 AM
To: Courtney Warner
Subject: new intake [REDACTED] and wife need dr referrals

Any thoughts?

Jason St. George
Kisling, Nestico & Redick

Attorney at Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

GMP000040

Subject: FW: Objective Injury Case Assignments

From: gpetti@knrlegal.com

To: pettigary@yahoo.com

Date: Friday, November 9, 2012, 3:35:35 PM EST

Gary M. Petti

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

From: Brandy Brewer

Sent: Friday, November 09, 2012 3:32 PM

To: Prelit Attorney

Cc: Rob Nestico; Robert Redick; Holly Tusko

Subject: Objective Injury Case Assignments

Importance: High

GMP000041

From now on, objective injuries will not be distributed evenly. These cases will be distributed to the prelit attorneys that are doing intakes by percentage from the month before.

Youngstown objective cases will stay in Youngstown. Paul or whichever attorney who does the after hours intake, will get the case.

Please see below:

Percentage numbers from the month before, this is how we will distribute objective cases for the following month.

For example: Intakes October 488, but 339 were actually done by prelit attorneys. So...

Petti	28	8%
Jason	52	15%
Josh	90	27%
Ken	35	10%
Paul	76	23%
Horton	58	17%

Should you have any questions about this, please let me know.

Brandy Brewer

Kisling, Nestico & Redick

Executive Assistant to Attorney Nestico

3412 W. Market St., Akron, Ohio 44333

GMPP000042

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

GMP000043

Subject: FW: Emailing: OE0FRWL100613753.WAV

From: gpetti@knrlegal.com

To: pettigary@yahoo.com

Date: Friday, November 9, 2012, 11:10:53 AM EST

Gary M. Petti
Kisling, Nestico & Redick
Attorney At Law
3412 W. Market St., Akron, Ohio 44333
Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

Locations: Akron, Canton, Cleveland, Cincinnati, Columbus, Dayton, Toledo & Youngstown

-----Original Message-----

From: Rob Nestico

Sent: Tuesday, June 05, 2012 4:34 PM

To: Attorneys; Brandy Brewer

Subject: Emailing: OE0FRWL100613753.WAV

This is a case where State Farm has given Josh the run around. I called the defendant on this case and this is a MUST listen too. Only change is I should have given them the adjusters name number and claim number.

Your message is ready to be sent with the following file or link attachments:

OE0FRWL100613753.WAV

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.



OE0FRWL100613753.WAV

GMP000044

829.8kB

GMP000045

Subject: FW: LOP's

From: gpetti@knrlegal.com

To: pettigary@yahoo.com

Date: Friday, November 9, 2012, 11:10:08 AM EST

Gary M. Petti

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

From: Rob Nestico

Sent: Friday, November 09, 2012 9:47 AM

To: Megan Jennings

Cc: Nomiki Tsarnas; Brandy Brewer; Staff

Subject: Re: LOP's

GMP000046

Send them but NOT on letterhead if you have too for town & country

Sent from iPhone of Rob Nestico

On Nov 9, 2012, at 9:22 AM, "Megan Jennings" <mjennings@knrlegal.com> wrote:

Town & Country also has us send them our LOP's for clients

From: Nomiki Tsarnas
Sent: Friday, November 09, 2012 9:21 AM
To: Rob Nestico
Cc: Brandy Brewer; Staff
Subject: RE: LOP's

What about for CNS and Ohio Sports and Spine (Dr. Dunne). They have us create LOP's.

From: Rob Nestico
Sent: Friday, November 09, 2012 9:20 AM
To: Nomiki Tsarnas
Cc: Brandy Brewer; Staff
Subject: Re: LOP's

No provider sends them to u

Sent from iPhone of Rob Nestico

On Nov 9, 2012, at 9:14 AM, "Nomiki Tsarnas" <Tsarnas@knrlegal.com> wrote:

Is someone going to create a new LOP? The current medical assignment comes up on our letterhead.

From: Brandy Brewer
Sent: Friday, November 09, 2012 9:04 AM
To: Staff
Cc: Rob Nestico

GMP000047

Subject: LOP's
Importance: High

Absolutely NO LOP's should be sent out of this office on letterhead. Please see me if you have any questions.

<image001.jpg> Brandy Brewer

Kisling, Nestico & Redick

Executive Assistant to Attorney Nestico

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

**Locations: Akron, <image002.jpg><image003.jpg> <image004.jpg> <image005.jpg>
Canton,
Cleveland,
Cincinnati,
Columbus,
Dayton, Toledo &
Youngstown**

GMP000048

Subject: FW: Best Lawyers

From: gpetti@knrlegal.com

To: pettigary@yahoo.com

Date: Friday, November 9, 2012, 11:09:30 AM EST

Gary M. Petti

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

From: Brandy Brewer

Sent: Friday, November 09, 2012 10:54 AM

To: Sarah Rucker; Staff

Subject: RE: Best Lawyers

Please take a few minutes and get this done.

GMP000049

Thank you!

Brandy Brewer

Kisling, Nestico & Redick

Executive Assistant to Attorney Nestico

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

GMP000050

From: Sarah Rucker
Sent: Friday, November 09, 2012 10:51 AM
To: Staff
Subject: Best Lawyers

We are nominating our attorneys for Best Lawyer! I need the staff to nominate Rob Nestico and John Reagan, and attorneys to nominate other attorneys. Below is the link to the nomination form. It is very short and easy to fill out. They are accepting nominations until December 31 2012 for the 2014 year, so please fill out the form as soon as possible. When you have finished filling out the form, you may fax it to "Attention: Best Lawyers Nomination" at 803-614-4794, which is also in the bottom of the form. Anyone can submit a nomination; they only ask that a lawyer does not nominate himself or herself. The second link is simply for the benefit of learning how the process works exactly, if you wish to look further into it.

http://www.bestlawyers.com/downloads/Nomination_Form.pdf.

<http://www.bestlawyers.com/About/Methodology.aspx>

Sarah Rucker

Kisling, Nestico & Redick

Assistant To Brandy Brewer

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

GMP000051

Subject: FW: Settlement Memos

From: gpetti@knrlegal.com

To: pettigary@yahoo.com

Date: Thursday, November 8, 2012, 5:13:54 PM EST

Gary M. Petti
Kisling, Nestico & Redick
Attorney At Law
3412 W. Market St., Akron, Ohio 44333
Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

Locations: Akron, Canton, Cleveland, Cincinnati, Columbus, Dayton, Toledo & Youngstown

-----Original Message-----

From: Brandy Brewer

Sent: Thursday, November 08, 2012 5:02 PM

To: Staff

Cc: Rob Nestico

Subject: Settlement Memos

No settlement memos are to leave the office without Rob's approval until further notice. No fax disbursements and no mail disbursements period. If you have any approvals tomorrow, please bring to me.

Sent from my iPhone

GMP0000052

Subject: FW: Settlement Memos

From: gpetti@knrlegal.com

To: pettigary@yahoo.com

Date: Thursday, November 8, 2012, 5:13:36 PM EST

Gary M. Petti
Kisling, Nestico & Redick
Attorney At Law
3412 W. Market St., Akron, Ohio 44333
Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

Locations: Akron, Canton, Cleveland, Cincinnati, Columbus, Dayton, Toledo & Youngstown

-----Original Message-----

From: Rob Nestico

Sent: Thursday, November 08, 2012 5:08 PM

To: Brandy Brewer

Cc: Staff

Subject: Re: Settlement Memos

If anyone does this or faxes any client information outside this office without approval will be terminated without question.

Sent from iPhone of Rob Nestico

On Nov 8, 2012, at 5:02 PM, "Brandy Brewer" <brandy@knrlegal.com> wrote:

> No settlement memos are to leave the office without Rob's approval until further notice. No fax disbursements and no mail disbursements period. If you have any approvals tomorrow, please bring to me.

>

> Sent from my iPhone

GMP000053

Subject: settlements

From: gpetti@knrlegal.com

To: pettigary@yahoo.com

Date: Friday, October 5, 2012, 4:26:43 PM EDT

1. [REDACTED] 250
2. [REDACTED] 1350
3. [REDACTED] 2000
4. [REDACTED] 4200
5. [REDACTED] 5000
6. [REDACTED] 750
7. [REDACTED] 500
8. [REDACTED] 525
9. [REDACTED] 3500
10. [REDACTED] 14637
11. [REDACTED] 2025
12. [REDACTED] 1833
13. [REDACTED] 2921
14. [REDACTED] 1108
15. [REDACTED] 9880.05
16. [REDACTED] 6833.33
17. [REDACTED] 5833
18. [REDACTED] 2909.81
19. [REDACTED] 2350
20. [REDACTED] 1700

GMP000054

GM/P000055

21.		1700
22.		1800
22.		2200
23.		833
24.		1500
25.		1475
26.		600
27.		925
28.		300
29.		166.67
30.		1666
31.		1666
32.		3600
33.		250
34.		800
35.		384.13
36.		384.12
37.		
38.		1100
39.		2250
40.		1500
41.		1500
42.		
43.		250
44.		250
45.		2500

46		1800
47		200
48		750
49		750
50		2775
51		1000
52		750
53		750
54		3100

111,580.11

GMP000056

Gary M. Petti

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

Locations: Akron, Canton, Cleveland, Cincinnati, Columbus, Dayton, Toledo & Youngstown

Subject: FW: November Intakes

From: gpetti@knrlegal.com

To: pettigary@yahoo.com

Date: Monday, December 3, 2012, 4:00:16 PM EST

Gary M. Petti

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

From: Brandy Lamtman

Sent: Monday, December 03, 2012 3:51 PM

To: Prelit Group

Subject: November Intakes

Importance: High

Intakes During Business Hours for November:

GMP000004



Gary P	36	9%
Jason	47	11%
Josh	116	28%
Ken	56	13%
Paul	92	22%
Horton	74	18%

Just a reminder that objective cases will be assigned to the attorneys who are doing intakes!! GREAT JOB Josh!!

Brandy Lamtman

Executive Assistant to Attorney Nestico

Kisling, Nestico, & Redick, LLC

3412 W. Market Street

Akron, Ohio 44333

Phone: 330-869-9007

Fax: 330-869-9008

brandy@knrlegal.com

GMF000005

Subject: FW: Objective Injury Case Assignments

From: gpetti@knrlegal.com

To: pettigary@yahoo.com

Date: Friday, November 9, 2012, 3:35:35 PM EST

Gary M. Petti

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

From: Brandy Brewer

Sent: Friday, November 09, 2012 3:32 PM

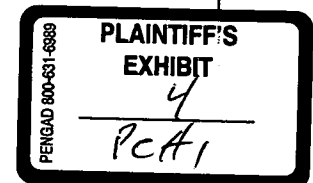
To: Prelit Attorney

Cc: Rob Nestico; Robert Redick; Holly Tusko

Subject: Objective Injury Case Assignments

Importance: High

GMP000041



From now on, objective injuries will not be distributed evenly. These cases will be distributed to the prelit attorneys that are doing intakes by percentage from the month before.

Youngstown objective cases will stay in Youngstown. Paul or whichever attorney who does the after hours intake, will get the case.

Please see below:

Percentage numbers from the month before, this is how we will distribute objective cases for the following month.

For example: Intakes October 488, but 339 were actually done by prelit attorneys. So...

Petti	28	8%
Jason	52	15%
Josh	90	27%
Ken	35	10%
Paul	76	23%
Horton	58	17%

Should you have any questions about this, please let me know.

Brandy Brewer

Kisling, Nestico & Redick

Executive Assistant to Attorney Nestico

3412 W. Market St., Akron, Ohio 44333

GMP000042

Subject: FW: Compensation

From: gpetti@knrlegal.com

To: pettigary@yahoo.com

Date: Friday, November 9, 2012, 3:55:44 PM EST

Gary M. Petti
Kisling, Nestico & Redick
Attorney At Law
3412 W. Market St., Akron, Ohio 44333
Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

Locations: Akron, Canton, Cleveland, Cincinnati, Columbus, Dayton, Toledo & Youngstown

-----Original Message-----

From: Rob Nestico

Sent: Sunday, April 29, 2012 11:34 PM

To: Staff

Subject: Compensation

To ALL staff:

Please accept this as a final warning to ALL staff. If it comes to my attention or any managements attention that you discuss your compensation or bonus with ANY OTHER KNR employee this will result in IMMEDIATE termination for cause.

As I have mentioned before NOTHING good comes from discussing these matters with other staff.

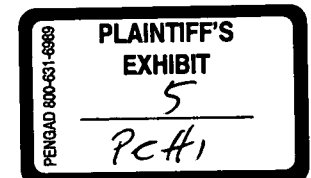
This information is confidential and MUST NOT be discussed with ANYONE.

If you have any question let me know.

Thank you

Rob Nestico
Attorney at Law
Kisling, Nestico & Redick

GMP000033



From: Brandy Brewer <bbrewer@knrlegal.com>
Sent: Wednesday, October 17, 2012 10:25 AM
To: Prelit Attorney
Subject: Shaker Square

Importance: High

PLEASE make sure you refer intakes there. I just noticed that we've sent 2 cases to A Plus Accident & Injury Center when these cases could've gone to Shaker, who sends us way more cases.

I've sent this email three times now, please note this so next time you're on a Cleveland intake you remember this.

Thanks!



Brandy Brewer

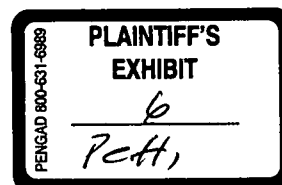
Kisling, Nestico & Redick

Executive Assistant to Attorney Nestico

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

*Locations: Akron, Canton, Cleveland, Cincinnati,
Columbus, Dayton, Toledo & Youngstown*



From: Brandy Lamtman <brandy@knrlegal.com>
Sent: Thursday, November 15, 2012 8:50 AM
To: Staff
Subject: Fwd: Referrals

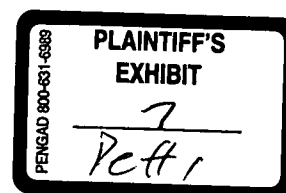
Sent from my iPhone

Begin forwarded message:

From: Rob Nestico <nestico@knrlegal.com>
Date: November 15, 2012, 8:22:29 AM EST
To: Rob Nestico <nestico@knrlegal.com>
Cc: Brandy Lamtman <brandy@knrlegal.com>
Subject: Referrals

Please make sure to refer ALL Akron cases to ASC this month. We are 30-0. Also any time you refer a patient to any Chiro have your assistant follow up and make sure they go on obviously cases that are signed up outside of Chiro office.

Sent from iPhone of Rob Nestico



From: Brandy Lamtman <brandy@knrlegal.com>
Sent: Tuesday, March 26, 2013 10:55 AM
To: Attorneys
Subject: Intakes....

Importance: High

If you do an intake and the person already has an appointment with a chiropractor we do not work with, either pull it and send to one of our doctors or call the chiropractor directly. You MUST do this on all intakes, otherwise the chiropractor will pull and send to one of their attorneys!



Brandy Lamtman

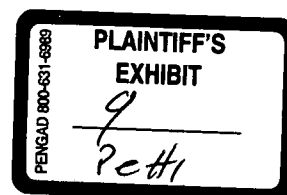
Executive Assistant to Attorney Nestico
Kisling, Nestico, & Redick, LLC
3412 W. Market Street
Akron, Ohio 44333
Phone: 330-869-9007
Fax: 330-869-9008

brandy@knrlegal.com



From: Brandy Lamtman <brandy@knrlegal.com>
Sent: Monday, September 16, 2013 9:49 AM
To: Rob Horton
Subject: My referral

Since she is a nurse, she may not want chiro. Feel her out for that before you refer. She may want family doc and PT.



From: Brandy Lamtman <brandy@knrlegal.com>
Sent: Tuesday, November 13, 2012 8:57 AM
To: Prelit Attorney; Prelit Support
Cc: Rob Nestico; Robert Redick
Subject: Referrals.....

Importance: High

Please print this out and refer to it when doing intakes THIS IS VERY IMPORTANT:

Akron ASC
Akron Delivery ASC
Summit Delivery ASC

Columbus East Side: Town & Country Anywhere other than East Side: Columbus Injury, West Gate
and Raider

Cincinnati Vernon Place and/or Werkmore
Cleveland Lakewood Pain Management, NorthCoast and Euclid Physical Medicine

Lorain Advanced Pain Management
Toledo Toledo Spine
Canton First try Atlantic Chiropractic and then refer to West Tusc if needed



Brandy Lamtman
Executive Assistant to Attorney Nestico
Kisling, Nestico, & Redick, LLC
3412 W. Market Street
Akron, Ohio 44333
Phone: 330-869-9007
Fax: 330-869-9008

brandy@knrlegal.com



From: Brandy Lamtman <brandy@knrlegal.com>
Sent: Wednesday, December 19, 2012 4:13 PM
To: Prelit Attorney
Subject: REMINDER

Importance: High

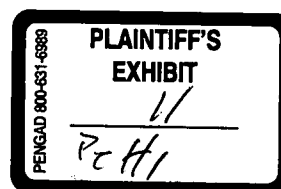
ALL RED BAG REFERRALS NEED TO GO TO AKRON SQUARE.



Brandy Lamtman

Executive Assistant to Attorney Nestico
Kisling, Nestico, & Redick, LLC
3412 W. Market Street
Akron, Ohio 44333
Phone: 330-869-9007
Fax: 330-869-9008

brandy@knrlegal.com



1

1

WILLIAMS000284

12/03/2013 9:19AM (GMT-05:00)

Patient Name: Monique Norris

Date of Injury: 7-29-13

Patient's Description of Pain:

Monique Norris presented to Akron Square Chiropractic following a motor vehicle accident with symptoms of moderate left shoulder pain, mild intermittent neck pain and headaches. The use of her left shoulder was limited. (She also complained of gradual low back pain. She described the pain as being dull and achy. She was evaluated at the hospital following the motor vehicle accident. She feels that she is getting progressively worse every day. Her pain is the result of the motor vehicle accident. She reports prior to impact that she reached out with her left arm to brace her child. She felt immediate pain in her cervical spine and left shoulder

Diagnosis:

847.0 Cervical sprain/strain, 840.9 Shoulder sprain, 847.1 Thoracic sprain/strain, 784.0 Headaches, 728.85 Muscle spasm, 729.1 Myofascitis, 847.2 Lumbar sprain

Treatment:

Treatment for Monique Norris included spinal manipulation, extremity mobilization, intersegmental mechanical traction, trigger point manipulative therapy, therapeutic exercises, electrical muscle stimulation, and the use of ice and heat.

Treatment goals included reduce pain, improve function, improve alignment, increase range of motion.

The use of passive modalities plays a role in acute, inflammatory injury or acute injury with hematoma where you're trying to block pain, so you can start the rehabilitation program and start moving into functional activity as an adjunct, as a stepping stone to get you over a hump. Electric muscle stimulation may facilitate circulation by causing muscle contraction, strengthen muscle in conjunction with voluntary contraction, and increase range of motion in a joint where contracture limits motion.

Therapeutic Heat can induce an analgesic effect, increase blood flow, and produce local and systemic hyperthermia.

Therapeutic Cold can decrease blood flow, metabolic rate, and muscle tone. It also has an analgesic effect.

Traction therapy is an important component in the healing process of an acute injury. The stress and trauma to the joints and muscles could be debilitating especially immediately following motor vehicle accident. When the spine's postural muscles (the muscles that hold you upright) are injured, fatigued, or stressed from a loss of circulation due to a motor vehicle accident, spasms occur. Intersegmental traction carefully elongates the postural muscles of the spine in a comfortable, even manner and allows for normal joint motion, circulation, and mobility to return to the spine and other injured soft tissues. Intersegmental mechanical traction is utilized in physical therapy, chiropractic, medical and orthopaedic clinics worldwide and is well documented and indicated as an effective modality for soft tissue and joint pathology associated with acute injuries.

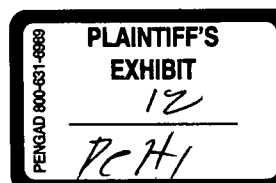
Prognosis:

Monique Norris's prognosis is good. She continues to experience mild symptoms in her left shoulder, neck and low back.

Any trauma to the spine or extremity can result in a lifetime of chronic conditions including pain, neurological problems and disorders, degenerative joint disease, degenerative disc disease, scar tissue formation, decreased muscle function, chronic headaches, depression etc. Unfortunately, the full extent of a spinal trauma, caused by a collision of multiple thousand pound vehicles, does not surface for months and many times years later.

In my opinion based upon reasonable chiropractic probability the injuries Monique Norris sustained were due to the motor vehicle accident, and the treatments rendered thus far have been necessary as a result.

Dr. Minas Floros, DC



No. 7679 P. 5

Dec. 3. 2013 9:14AM

1500

HEALTH INSURANCE CLAIM FORM

APPROVED BY NATIONAL UNIFORM CLAIM COMMITTEE 08/05

KISLING, NESTICO & REDICK
3412 WEST MARKET STREET
AKRON, OH 44333

1. MEDICARE <input type="checkbox"/> (Medicare #) MEDICAID <input type="checkbox"/> (Medicaid #) TRICARE <input type="checkbox"/> (Sponsor's SSN) CHAMPVA <input type="checkbox"/> (Member ID#) GROUP HEALTH PLAN <input type="checkbox"/> (SSN or ID) FECA BLK LUNG <input type="checkbox"/> (SSN) OTHER <input checked="" type="checkbox"/> (ID)										1a. INSURED'S I.D. NUMBER (For Program in Item 1)																			
2. PATIENT'S NAME (Last Name, First Name, Middle Initial) NORRIS, MONIQUE										3. PATIENT'S BIRTH DATE MM DD YY										4. INSURED'S NAME (Last Name, First Name, Middle Initial) NORRIS, MONIQUE									
5. PATIENT'S ADDRESS (No. Street) CITY STATE ZIP CODE TELEPHONE (Include Area Code)										6. PATIENT RELATIONSHIP TO INSURED Self <input type="checkbox"/> Spouse <input checked="" type="checkbox"/> Child <input type="checkbox"/> Other <input type="checkbox"/>										7. INSURED'S ADDRESS (No. Street) CITY STATE ZIP CODE TELEPHONE (Include Area Code)									
9. OTHER INSURED'S NAME (Last Name, First Name, Middle Initial)										10. IS PATIENT'S CONDITION RELATED TO: a. EMPLOYMENT? (Current or Previous) YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> b. AUTO ACCIDENT? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> PLACE (State) OH c. OTHER ACCIDENT? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>										11. INSURED'S POLICY GROUP OR FECA NUMBER a. INSURED'S DATE OF BIRTH MM DD YY SEX M <input type="checkbox"/> F <input checked="" type="checkbox"/> b. EMPLOYER'S NAME OR SCHOOL NAME c. INSURANCE PLAN NAME OR PROGRAM NAME KISLING, NESTICO & REDICK									
12. PATIENT'S OR AUTHORIZED PERSON'S SIGNATURE I authorize the release of any medical or other information necessary to process this claim. I also request payment of government benefits either to myself or to the party who accepts assignment below. SIGNED SIGNATURE ON FILE DATE 09/23/13										13. INSURED'S OR AUTHORIZED PERSON'S SIGNATURE I authorize payment of medical benefits to the undersigned physician or supplier for services described below. SIGNED SIGNATURE ON FILE																			
14. DATE OF CURRENT ILLNESS (First symptom) OR INJURY (Accident) OR PREGNANCY (LMP) 7/29/2013										15. IF PATIENT HAS HAD SAME OR SIMILAR ILLNESS. GIVE FIRST DATE MM DD YY										16. DATES PATIENT UNABLE TO WORK IN CURRENT OCCUPATION FROM MM DD YY TO MM DD YY									
17. NAME OF REFERRING PROVIDER OR OTHER SOURCE 17a. 17b. NPI										18. HOSPITALIZATION DATES RELATED TO CURRENT SERVICES FROM MM DD YY TO MM DD YY										19. RESERVED FOR LOCAL USE									
20. OUTSIDE LAB? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> \$ CHARGES										21. DIAGNOSIS OR NATURE OF ILLNESS OR INJURY (Relate Items 1, 2, 3 or 4 to Item 24E by Line) 1. 846.0 2. 847.1 3. 840.9 4.										22. MEDICAID RESUBMISSION CODE ORIGINAL REF. NO. 23. PRIOR AUTHORIZATION NUMBER									
24. A. DATE(S) OF SERVICE From MM DD YY To MM DD YY B. PLACE OF SERVICE C. EMG D. PROCEDURES, SERVICES, OR SUPPLIES (Explain Unusual Circumstances) CPT/HCPCS MODIFIER E. DIAGNOSIS POINTER F. \$ CHARGES G. DAYS OR UNITS H. EPSDT Family Plan I. ID. QUAL J. RENDERING PROVIDER ID. #										25. FEDERAL TAX I.D. NUMBER 270796590 SSN EIN 26. PATIENT'S ACCOUNT NO. 27. ACCEPT ASSIGNMENT? (For gov. claims, see back) YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> 28. TOTAL CHARGE \$ 850.00 29. AMOUNT PAID \$ 0.00 30. BALANCE DUE \$ 850.00																			
31. SIGNATURE OF PHYSICIAN OR SUPPLIER (Including degrees or credentials) I certify that the statements on the reverse apply to this bill and are made a part thereof. RICHARD H. GUNNING 09/23/13 SIGNED DATE										32. SERVICE FACILITY LOCATION INFORMATION HANCHRIST LLC 1134 BROWN ST AKRON, OH 44301 a. 166970284										33. BILLING PROVIDER INFO & PH # CLEARWATER BILLING SERVICES P.O. BOX 1243 BATH, OH 44210 a. 148798211									

Patient Name: Thera Reid

Date of Injury: 4-20-16

Medical Provider: Akron Square Chiropractic

Patient's Description of Pain:

Thera Reid presented to Akron Square Chiropractic following a motor vehicle accident with symptoms of moderate to severe spinal soft tissue injury.

She presented with most pain through her entire spine and right shoulder.

Her joint pain was relentless as a result of the motor vehicle accident. She had sleepless nights following the motor vehicle accident. She described the pain as being constant, dull, burning and sharp. Ranges of motion were restricted throughout her spine as a result of pain, muscle spasms, intersegmental swelling, and joint dysfunction. She was forced to modify her daily activities to accommodate her high pain levels.

Diagnosis:

Cervical sprain, Lumbar sprain, Thoracic sprain/strain, Right shoulder sprain

Treatment:

Treatment for Thera Reid included light spinal manipulation, intersegmental mechanical traction, trigger point manipulative therapy, therapeutic exercises, electrical muscle stimulation, and the use of ice and heat.

Treatment goals included improving repair, reducing pain, limiting scar tissue formation, reducing the duration of pain, and attempting to return the patient to a productive home and occupational life.

Prognosis/Discussion:

Thera Reid continues to be symptomatic at multiple spinal and extremity levels when active.

Multiple risk factors were present in the case of Thera Reid. These risk factors will serve to significantly lower the threshold for injury and increase the probability for long term symptoms. These risk factors can be subcategorized into risk for acute injury and long term symptoms as follows:

Risk Factors for Acute Injury: Female sex, poor head restraint geometry, moderate to heavy impact, body mass index/head neck index (especially for female patient), position at point of impact.

Risk Factors for Long-Term Symptoms: Female sex, body mass index in females only, type of motor vehicle collision

Based on the risk assessment alone, one would have to conclude that the risk for injury would have been moderately high in this case as would the risk for any long term symptoms. Degenerative spine disease (spondylosis and facet arthrosis) may be accelerated at the injured spinal facet segments.

The time needed for injured soft tissue to heal is dependent on numerous factors including type of tissue damaged, stresses during repair, extent of damage, quality and type of scar tissue, and the age of the person. Clinical experience has shown that most patients will show a substantial decrease in stiffness and pain within six to eight weeks and further improvement for another two to four months. Between six months and one year the patient may continue to show slight improvement in symptoms. The Quebec Task Force published one of the largest critical analysis of literature relative to whiplash associated disorders, concluding that it is reasonable to estimate a healing period of four to six weeks for partial soft tissue tears and a period of one year for remodeling and maturation. During the process of remodeling and maturation it is very common for flare ups to occur especially in persons that have larger work loads in their day to day lives. A recent national survey performed by Evans consisting of 118 family physicians, 100 neurologists, 97 neurosurgeons, and 82 orthopaedists, found that most physicians believed that there was a three to six month recovery time for whiplash patients.

Several studies have made it quite clear that many whiplash injured patients have not fully recovered from their injuries at 3 and 6 months. Gargan, Bannister, Main, and Hollis in a study published in Journal of Bone and Joint Surgery (1997) found that 71% of whiplash injured patients had not recovered at 3 months. Radonov, Stefano found that 44% of whiplash patients had not recovered at 3 months, and that 31% had not recovered at 6 months. This was published in Medicine (1995).

Thera Reid sustained joint, disc and ligamentous injury due to the collision and experienced a great amount of pain. The cost to stabilize her condition over the next year is approximately \$5000.

In my opinion based upon reasonable chiropractic probability the injuries Thera Reid sustained were due to the motor vehicle accident, and the treatments rendered thus far have been necessity as a result.

Dr. Minas Floros, DC



From: Brandy Brewer
Sent: Thursday, March 01, 2012 10:34 AM
To: Alyssa Kirk; Jodi Miller; Jenna Sanzone; Amber Vince; Marti Dunlavy; Nicole Holland; Katy Newton; Megan Jennings; Courtney Warner; Matt Stewart; Deidra Lopez
Cc: Rob Nestico; Robert Redick
Subject: Narrative Report Fees

We are paying narrative fees to the following:

Dr. Florbs Akron Square



Brandy Brewer

Kisling, Nestico & Redick

Executive Assistant to Attorney Nestico

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

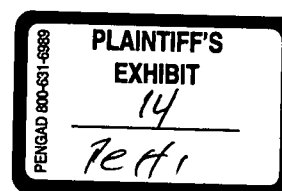
Locations: Akron, Canton, Cleveland, Cincinnati,

Columbus, Dayton, Toledo & Youngstown



KNR03769

REDACTED



From: **Brandy Lamtman** brandy@knrlegal.com
 Subject: Plambeck Clinics
 Date: October 2, 2013 at 3:14 PM
 To: Prelit Support PrelitSupport@knrlegal.com, Prelit Attorney PrelitAttorney@knrlegal.com, Litigation Support LitigationSupport@knrlegal.com, Litigation Attorney LitigationAttorney@knrlegal.com



These are the only Narrative Fees that get paid in addition to Dr. Alex Frantzis with NorthCoast Rehab (\$200.00) ((NOT PLAMBEC))

*Akron Square Chiropractic: Dr. Minas Floros
 *Detroit Shoreway Chiropractic: Dr. Kyle Schneider
 East Broad Chiropractic: Dr. Heather Kight
 Old Town Chiropractic: Dr. Gregory Smith
 Raider Chiropractic: Dr. Michael Buczynaki
 Shaker Square Chiropractic: Dr. Drew Schwartz
 *Toledo Spine & Rehab: Dr. Patrice Lee-Seyon
 Valley Spine & Rehab: Dr. Briggs
 *Vernon Place Chiropractic: Dr. Jason Maurer
 *Werkmore Chiropractic: Dr. Jason Maurer
 Westgate Family Health: Dr. Michael Buczynaki
 *West Tusc Chiropractic: Dr. Tassi and Dr. Eric Cawley
 *Youngstown Chiropractic: Dr. Sirikul ³Ruth² Thunijinda

***Narrative Report Fees are paid to Dr. Patrice Lee-Seyon via MedReports (Toledo Spine) for **\$200.00**, Dr. Minas Floros (Akron Square) **\$200.00**, Dr. Philip Tassi for him and Dr. Eric Cawley (West Tusc) **\$200.00**, Dr. Sirikul Thunijinda (Youngstown Chiropractic) **\$150.00** and Dr. Kyle Schneider (Detroit Shoreway) **\$150.00** to the doctor personally (all doctors are in needles)

WD's must be faxed to Rebecca at (855) 267-9337 and an email sent to the billing ladies

franklind@csgonline.net- Denise, she has TOLEDO, OLD TOWN

Colbenson@csgonline.net - Annette, she has SHAKER SQUARE, EAST BROAD, WEST BROAD, RAIDER, VALLEY SPINE and YOUNGSTOWN

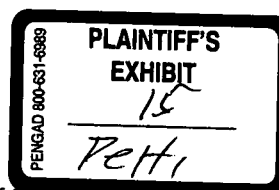
delattek@csgonline.net Katie, she has AKRON, VERNON PLACE/WERKMORE

bordelonk@csgonline.net Karla, she has WEST TUSC



Brandy Lamtman
 Kisling, Nestico & Redick
 Director of Operations
 3412 W. Market St., Akron, Ohio 44333
 Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

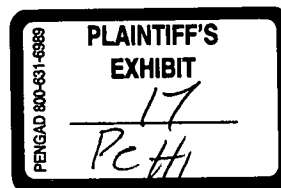
Locations: Akron, Canton, Cleveland, Cincinnati,
 Columbus, Dayton, Toledo & Youngstown



WILLIAMS000570

From: Gary Petti
Sent: Wednesday, November 28, 2012 10:05 AM
To: Megan
Subject: FW: - Remember, no reports from doktor flooroes...

I've asked a number of adjusters about the importance of those reports and the most common response is nearly uncontrolled laughter. Description: Description: cid:image006.jpg@01CCECC7.1DE27850
<<http://www.knrlegal.com/>> Gary M. Petti



From: **Rob Nestico** nestico@knrlegal.com
 Subject: Re: New Allstate request...
 Date: May 30, 2013 at 1:01 PM
 To: Joshua Angelotta jangelotta@knrlegal.com
 Cc: Ken Zerrusen zerrusen@knrlegal.com, Rob Horton rhorton@knrlegal.com, Attorneys Attorneys@knrlegal.com



I agree we need to file all these Allstate files. Please send John and I a list of your Allstate Plambeck cases.

Sent from iPhone of Rob Nestico

On May 30, 2013, at 12:48 PM, "Joshua Angelotta" <jangelotta@knrlegal.com> wrote:

I think a lot of us made a deal with the devil by allowing them to have recorded statements because the result would usually be a workable offer. I'm inclined to stop doing this because now we're wasting our time, along with the client's time, and delaying the inevitable; which is filing suit on all of these claims.

Joshua R. Angelotta

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

*Locations: Akron, Canton, [<image001.jpg><image002.jpg><image003.jpg><image004.jpg>](#)
 Cleveland, Cincinnati, Columbus,
 Dayton, Toledo & Youngstown*

From: Ken Zerrusen
Sent: Thursday, May 30, 2013 12:44 PM
To: Joshua Angelotta; Rob Horton; Attorneys
Subject: RE: New Allstate request...

Me too.they have tightened the screws even more. I just got a pair of \$1500 offers on ER/Plambeck claims both having approx. 7k in bills

From: Joshua Angelotta
Sent: Thursday, May 30, 2013 12:40 PM
To: Rob Horton; Attorneys
Subject: RE: New Allstate request...

I'm getting unusually low Allstate offers on Plambeck cases. Allstate has obviously always made lousy offers with MIST claims. These new offers are really bad even on moderate-heavy impact collisions.

Joshua R. Angelotta

Kisling, Nestico & Redick

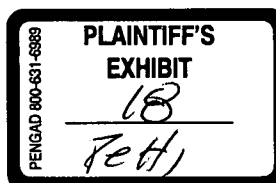
Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

*Locations: Akron, Canton, [<image001.jpg><image002.jpg><image003.jpg><image004.jpg>](#)
 Cleveland, Cincinnati, Columbus,
 Dayton, Toledo & Youngstown*

From: Rob Horton
Sent: Thursday, May 30, 2013 12:34 PM
To: Attorneys
Subject: New Allstate request



WILLIAMS000589

Subject: NEW Allstate request...

David Stephas from Allstate just requested ³consent for deposition of doctor, all xray films, and all paperwork signed by the client from the chiro² on a third party claim. Said it is their new prelit procedure

It is an Akron Square case

Regards,

<image005.jpg>

Robert P. Horton

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

Locations: Akron, <image001.jpg><image002.jpg> <image003.jpg> <image004.jpg>

Canton, Cleveland,

Cincinnati,

Columbus, Dayton,

Toledo &

Youngstown



WILLIAMS000590

Subject: FW: WD request-[REDACTED]

From: gpetti@knrlegal.com

To: pettigary@yahoo.com

Date: Tuesday, November 27, 2012, 5:02:20 PM EST

Gary M. Petti

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

From: Gary Petti

Sent: Tuesday, November 27, 2012 4:40 PM

To: Robert Redick

Subject: RE: WD request-[REDACTED]



If I had a crystal ball, I would not have opened it at Slater & Zurz. Alas, I do not..... As far as why the staff here opened it, you would know better than I.

GMP000014

Gary M. Petti

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

GMP000015

From: Robert Redick

Sent: Tuesday, November 27, 2012 3:39 PM

To: Gary Petti

Subject: RE: WD request [REDACTED]

Ok to withdraw – it should never have been opened.

Robert W. Redick

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

From: Gary Petti
Sent: Tuesday, November 27, 2012 2:04 PM
To: Robert Redick; Rob Nestico
Subject: FW: WD request-[REDACTED]

See prior request below:

Gary M. Petti

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

From: Gary Petti
Sent: Thursday, September 20, 2012 12:00 PM
To: Rob Nestico; Robert Redick
Subject: WD request-[REDACTED]

I brought this case with me from S & Z after she had been formerly represented here. KNR withdrew, she came to me with a bad offer. Offer has not changed and will never change. Medicaid lien plus \$500. [REDACTED] had exited the car wash and stopped to allow her vehicle to be dried. The next car through bumped her

GMP000016

from behind. She went to ER because she had a feeding tube and needed it checked. 3 weeks later, after orally agreeing to the offer, she went to see ASC, who referred her here and also to Dr. G. Offer is off the table if we file.

Authority to WD, again?

Gary M. Petti

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

GMP000017

Brandy R. Gobrogge

From: Rob Nestico
Sent: Thursday, October 16, 2014 2:41 PM
To: Kelly Phillips
Cc: Paul W. Steele; John Reagan; Brandy Brewer
Subject: Re: Clearwater

No the e-mail was well received and like I said good to know what is being said but don't let them push you or your clients around with a bunch of BS. If you run into those problems this is why we have a litigation department. Sue them EVERY TIME!!!!

Sent from Attorney Rob Nestico

On Oct 16, 2014, at 1:56 PM, Kelly Phillips <kphillips@knrlegal.com> wrote:

Well clearly my e-mail was not received in the manner it was intended. You have my apologies for that. Was just trying to let you know what I was seeing. Lesson learned. Have a great afternoon!

Kelly Phillips

Kisling, Nestico & Redick

<image001.jpg>

Attorney

2550 Corporate Exchange Drive, Columbus, Ohio 43231

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

Locations: Akron,

Canton,

Cleveland,

Cincinnati,

Columbus,

Dayton, Toledo &

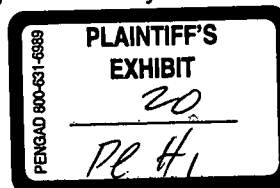
Youngstown

<image002.gif><Image003.png><Image004.gif><image005.gif><image

From: Rob Nestico
Sent: Thursday, October 16, 2014 1:48 PM
To: Kelly Phillips; Paul W. Steele
Cc: John Reagan; Brandy Brewer
Subject: RE: Clearwater

Kelly:

I appreciate the concern but we have considered this issue. I am glad you are thinking about these issues however, that is all the defense perspective. Are we not considering our client's interest when they have signed an LOP and could get sued by Clearwater or Dryfuss, or any other dr the ins. Co. does not agree with their bill? Are we not negotiating with EVERY provider not just Clearwater to help the



client and us get paid. Clearwater is treated no differently than any other provider we deal with that has an LOP.

If it wasn't for MD's willing to do this work who would care for these victims? The Ins. Co. would just find some other excuse not to pay bills and increase their bottom line.

I have taken down Nationwide before and we will do it again if necessary. [REDACTED]

In fact, ask yourself why ALL of these companies have paid the Dr either directly his full bill when there is no lawyer or MP has paid us his bill and others in full, but yet on a 3rd party case they raise this BS.

You need to argue the necessity of the treatment and the Dr's credentials, the facts of your case. You were hired to be an ADVOCATE not a puppet for the insurance company. Any discussion of not considering a Dr's bill will result in litigation even if that means EVERY nationwide case. These are MY directives.

You can't fear them and anytime they want to bring litigation my way I will be happy to take that task on.

Ask yourself these questions and ask any of the litigators in your office when have these bills not been awarded by Jurors. If your case is good on facts i.e. impact, ER, Chiro and MD with a good witness then we litigate the case. PERIOD.

Rest assured you are not the first person to come from the Insurance Defense side, including myself and John Reagan to mention a few. As discussed in our interview you can either make the mental shift or you can't and that is left to be seen. I and plenty of others have made the shift and realize how poorly Insurance Companies as a whole treat people. Anything to increase their bottom line they will say. Speak to Carla Cornicelli in our office, former HEAD of ALLSTATE SIU or Jimmylee Hoover also from Allstate.

A bigger question you should ask your self is, are these people all lying? Are the ER Dr's lying, chiro's lying, Medical Dr's lying, and are we lying? If you answer any of these questions YES then you need to reconsider your choice of employment.

I hope this answers your questions and if not we can discuss this further.

Alberto R. Nestico
Kisling, Nestico & Redick
<Image001.jpg> Attorney
3412 W. Market St., Akron, Ohio 44333
Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007
**Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown**

<image002.gif><image003.png><Image004.gif>

<Image008.jpg><Image009.jpg> <Image010.png>

From: Kelly Phillips
Sent: Thursday, October 16, 2014 12:53 PM
To: Rob Nestico; Paul W. Steele
Subject: Clearwater

Gentlemen,

Please know that I am not questioning what is going on here, nor am I trying to overstep my bounds. I fully understand my place in the organization. This e-mail is for informational purposes only.

I am now 5 for my last 5 with Nationwide cases where they are flat out refusing to consider anything related to Clearwater. At least when Progressive refuses, they offset with generosity in the general damages. Nationwide is not. Basically, I was told that if I am going to file on the case I was discussing then I better be prepared to file a whole lot of lawsuits. Clearly the Nationwide adjusters have received some form of a directive.

This brings about some concern. In some cases, it makes settlement a near financial impossibility. At the very least, it is taking money out of our client's pocket, and ours. I am a bit concerned with the ethical dilemma this creates. It is not difficult to make an argument that we are treating Clearwater's interests as equal to our clients. If we get a savvy client, we could find ourselves in some trouble. We are playing awful close to the fire. This is especially true when you factor in what Grange is trying to accomplish. Don't make the mistake of assuming that Nationwide and Grange are not in a coordinated effort, or at least having discussions regarding their individual approaches. On the insurance side, I was intimately involved in a coordinated effort to take down a large KY Chiropractic Operation and the firms that were heavily involved with said operation. FYI, Atty. Rob Roby played a bit of a role as well. His role was large enough that he was at least able to garner a blueprint as to how to attack such an operation. It is kind of like a "Raptor" approach....One works the head while the other works the body.

In my experience, when you are running an organization that continues to grow at unprecedented rates, you must regularly stop and take stock in what is happening around you. I am not suggesting that you are not. I am simply saying that given my experience, I am seeing some things that are bringing about concern.

Let me make myself clear, I am a member of your team. I am simply trying to protect you. That is the only reason I am bringing this to your attention. I can only assume you hired me largely because of my Insurance/SIU experience. I am simply trying to convey some of my concerns based on that experience.

Please feel free to disregard this e-mail if you'd like, or call should you want to discuss further.

Respectfully,

Kelly Phillips

Kisling, Nestico & Redick

<image001.jpg>

Attorney

2550 Corporate Exchange Drive, Columbus, Ohio 43231

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

Locations: Akron,

Canton,

<Image002.gif><image003.png><Image004.gif><image005.gif><image

*Cleveland,
Cincinnati,
Columbus,
Dayton, Toledo &
Youngstown*

Subject: FW: Settlement Memos

From: gpetti@knrlegal.com

To: pettigary@yahoo.com

Date: Tuesday, November 20, 2012, 4:03:25 PM EST

Gary M. Petti
Kisling, Nestico & Redick
Attorney At Law
3412 W. Market St., Akron, Ohio 44333
Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

Locations: Akron, Canton, Cleveland, Cincinnati, Columbus, Dayton, Toledo & Youngstown

-----Original Message-----

From: Rob Nestico

Sent: Thursday, November 08, 2012 5:08 PM

To: Brandy Brewer

Cc: Staff

Subject: Re: Settlement Memos

If anyone does this or faxes any client information outside this office without approval will be terminated without question.

Sent from iPhone of Rob Nestico

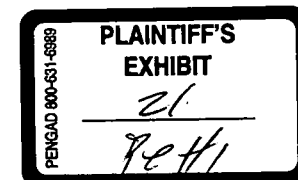
On Nov 8, 2012, at 5:02 PM, "Brandy Brewer" <brandy@knrlegal.com> wrote:

> No settlement memos are to leave the office without Rob's approval until further notice. No fax disbursements and no mail disbursements period. If you have any approvals tomorrow, please bring to me.

>

> Sent from my iPhone

GMP000022



Send them but NOT on letterhead if you have too for town & country

Sent from iPhone of Rob Nestico

On Nov 9, 2012, at 9:22 AM, "Megan Jennings" <mjennings@knrlegal.com> wrote:

Town & Country also has us send them our LOP's for clients

From: Nomiki Tsarnas
Sent: Friday, November 09, 2012 9:21 AM
To: Rob Nestico
Cc: Brandy Brewer; Staff
Subject: RE: LOP's

What about for CNS and Ohio Sports and Spine (Dr. Dunne). They have us create LOP's.

From: Rob Nestico
Sent: Friday, November 09, 2012 9:20 AM
To: Nomiki Tsarnas
Cc: Brandy Brewer; Staff
Subject: Re: LOP's

No provider sends them to u

Sent from iPhone of Rob Nestico

On Nov 9, 2012, at 9:14 AM, "Nomiki Tsarnas" <Tsarnas@knrlegal.com> wrote:

Is someone going to create a new LOP? The current medical assignment comes up on our letterhead.

From: Brandy Brewer
Sent: Friday, November 09, 2012 9:04 AM
To: Staff
Cc: Rob Nestico

GMP000047



Subject: LOP's
Importance: High

Absolutely NO LOP's should be sent out of this office on letterhead. Please see me if you have any questions.

<image001.jpg> Brandy Brewer

Kisling, Nestico & Redick

Executive Assistant to Attorney Nestico

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

**Locations: Akron, <image002.jpg><image003.jpg> <image004.jpg> <image005.jpg>
Canton,
Cleveland,
Cincinnati,
Columbus,
Dayton, Toledo &
Youngstown**

GMPO00048

From: **Brandy Lamtman** brandy@knrlegal.com
Subject: Chiropractor Referrals
Date: May 6, 2013 at 6:14 PM
To: Prelit Attorney PrelitAttorney@knrlegal.com
Cc: Rob Nestico nestico@knrlegal.com

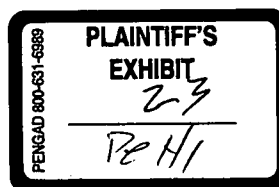


We MUST send an investigator to sign up clients!! We cannot refer to Chiro and have them sign forms there. This is why we have investigators. We are losing too many cases doing this!!!!!!

If a client is already at the chiro's office then of course it is ok. Other than that send an investigator.

No faxing or emailing forms unless it is approved by Rob, Robert or I.

Sent from my iPhone



WILLIAMS000001

From: Brandy Brewer <b Brewer@knrlegal.com>
Sent: Monday, March 19, 2012 4:43 PM
To: Attorneys
Subject: Intakes....

Importance: High

I know we've had a lot of intakes today, but we still need to make sure we are handling them properly. Please make sure you are getting DOB & SSN, otherwise records and bills cannot be requested when the case is opened, which will then create more work for your paralegal. Note as much information as possible, the more info we have the easier it is to get opened. If the client is super concerned about something, note that. This is very important. If the client wants a rental car ASAP or the property damage needs handled\$. whatever it is, note it so that we can handle that portion immediately after the case gets opened. Signups MUST be on the calendar. I am positive that all of the signups for today aren't on the calendar. If you are having issues with this, please see me.

I've also noticed that signups aren't being scheduled for the same day as the intake. Obviously this isn't always possible, but always try your best to make that happen. This is a sure way to not get the case!!



Brandy Brewer

Kisling, Nestico & Redick

Executive Assistant to Attorney Nestico

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

*Locations: Akron, Canton, Cleveland, Cincinnati,
Columbus, Dayton, Toledo & Youngstown*



10/20/2017

Sign Ups

Sign Ups**Holly Tusko****Sent:** Tuesday, June 10, 2014 10:26 AM**To:** Wes Steele; Paul Hillenbrand; Tom [tfish878@insight.rr.com]; David French; Gary Monto; JUDANJUDO@aol.com; James Smith; Dennis Rees; Gary Krebs; Glenn Jones; Aaron Czetli; Mike Simpson; Chuck DeRemer**Cc:** PreLit Attorney; Brandy Brewer; Rob Nestico**Importance:** High

Good Morning KNR Investigators. In an effort to get everyone on the same page please and to ensure that we are servicing our clients to be best of our ability please see the below criteria for doing sign ups. Please note that if this criteria is not met you will not be paid. When doing a sign up the following steps need to be taken...

- 1.) The subject line of your email should always contain the client(s) name
- 2.) The contingency fee agreement, patient authorization and proof of representation forms needs to be signed and dated as well as a discharge letter, if applicable. Keep in mind that we do have 1/3 and 1/4 fee agreements as well as 1/3 and 1/4 Spanish fee agreements. Should you need any of these emailed to you please let me know. The attorney will always advise you if we need 1/4 fee agreements signed, otherwise it will always be 1/3
- 3.) Photo(s) of insurance cards
- 4.) Photo of client (from the chest up)
- 5.) Photo(s) of ANY visible injuries (cuts, red marks, bruises, scratches, stitches, braces, casts, etc)
- 6.) Photo(s) of the vehicle
- 7.) Photo of police report (we send out direct mailers so a lot of the time the client will have the police report there with them).

You can use the above numeric format to add to the body of your email when sending the forms. If for any reason these items are not available then just note it accordingly in the body of your email. Again, this must be done by all investigators for all sign ups.

Please contact me with any questions / concerns.

Best Regards,

**Holly Tusko**

Kisling, Nestico & Redick

Intake Manager

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

Locations: Akron, Canton, Cleveland, Cincinnati, Columbus, Dayton, Toledo & Youngstown

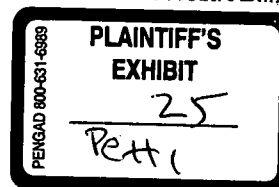


<https://mail.knrlegal.com/owa/?ae=Item&t=IPM.Note&id=AMB.RgAAAAC1gQINHGETSS5FQw2OnVXIIBwDlM3ZJQPJuQrw7XILHI9mEAAAAIUzeAADt...>

1/1

KNR03226

Sandra Kurt, Summit County Clerk of Courts



11/12/2017

Re: Suggested EMail to the staff

Re: Suggested EMail to the staff

Brandy Lamtman

Sent: Friday, December 07, 2012 3:54 PM

To: Robert Redick

Cc: Rob Nestico; Robert Redick

Agree

Sent from my iPhone

On Dec 7, 2012, at 3:33 PM, "Robert Redick" <redick@knrlegal.com> wrote:

Please be advised that if the attorney on the case requests any investigator – WHO IS NOT MIKE OR AARON – to do something for a case that has already been opened.

I.E. – Pick up records – knock on the door to verify address – they CAN be paid on a case by case basis depending on the task performed.

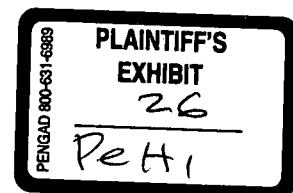
However, no checks for anything other than the SU fee should ever be requested without getting in-writing approval from the handling attorney, myself and/or Brandy.

Under no circumstances should any additional checks to MRS or AMC be requested other than at the time the case is set-up.

Please see me if you have any questions

I think we should send this to the staff today. There were only 5 for Aaron and 2 for Mike and they have been corrected but we need to make sure this does not happen Any more going forward.

<image001.jpg> Robert W. Redick
Kisling, Nestico & Redick
Attorney At Law
3412 W. Market St., Akron, Ohio 44333
Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007
Locations: <image002.jpg> <image003.jpg> <image004.jpg> <image005.jpg>
Akron,
Canton,
Cleveland,
Cincinnati,
Columbus,
Dayton,
Toledo &
Youngstown



Tuesday, May 5, 2015 at 11:46:49 PM Eastern Daylight Time

Subject: Re: Liberty Capital Funding

Date: Thursday, May 10, 2012 at 7:46:40 PM Eastern Daylight Time

From: Rob Nestico

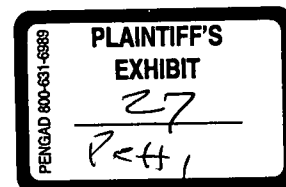
CC: Attorneys

For any Plambeck patients only please use the below company for cash advances. Thx

Rob Nestico
Attorney at Law
Kisling, Nestico & Redick

On May 9, 2012, at 1:08 PM, "Ciro Cerrato" <lcfunding1@gmail.com> wrote:

Rob,
Thanks for giving Liberty Capital Funding the opportunity to offer your clients Pre Settlement Funding.
Our settlement funding process is quick, and we can get your clients their pre settlement advance within 24 hours in most cases.
Attached is the LCF Client Data Sheet.
Please feel free to contact me if you have any questions or need anything else.
Best regards,
Ciro Cerrato
Liberty Capital Funding LLC
lcfunding1@gmail.com<<mailto:lcfunding1@gmail.com>>
PH 1.866.612.6000<tel:1.866.612.6000>
Fax: 561.372.7129<tel:561.372.7129>
<LCF Client Data Sheet.pdf>



WILLIAMS000256 Page 1 of 1

From: Brian Zaber
Sent: Monday, February 03, 2014 5:29 PM
To: Rob Nestico
Subject: Re:

Signed it - sorry to have to involve you.

Sent from my iPhone

On Feb 3, 2014, at 5:22 PM, "Rob Nestico" <nestico@knrlegal.com> wrote:

Sent from Rob Nestico

Begin forwarded message:

From: Ciro Cerrato <lcffunding1@gmail.com>
Date: February 3, 2014 at 5:13:54 PM EST
To: Rob Nestico <nestico@knrlegal.com>
Subject: Re:

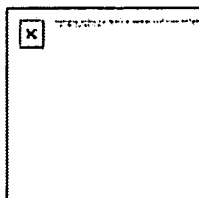
k. Thanks Rob

On Mon, Feb 3, 2014 at 4:42 PM, Rob Nestico <nestico@knrlegal.com> wrote:

Ciro:

Can we get this client an advance of 250.00 more? Please let me know. Don't want to lose this client.

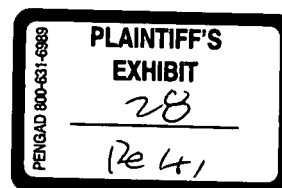
Thank you



Alberto R. Nestico

Kisling, Nestico & Redick

KNR03456



REDACTED

Subject: FW: [REDACTED] PCF missed

From: gpetti@knrlegal.com

To: pettigary@yahoo.com

Date: Friday, November 9, 2012, 3:56:31 PM EST

Gary M. Petti

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

From: Robert Redick

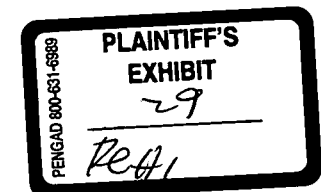
Sent: Friday, October 19, 2012 1:08 PM

To: Gary Petti

Cc: Robert Redick; Rob Nestico

Subject: RE: [REDACTED] PCF missed

OK – then the \$311.00 will be paid and deducted not from your fee total for October but from your bonus total from October.



GMPP000029

Attention to detail – especially in disbursements – will avoid these issues.

Robert W. Redick

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

GMF000030

From: Gary Petti

Sent: Friday, October 19, 2012 1:01 PM

To: Robert Redick

Subject: RE: [REDACTED] PCF missed

I did know about the advance. I just didn't cross check the settlement memo when I disbursed to see if it was on there. Clearly, it was not. Unfortunately, the advance funded and we disbursed on the same day. However, I signed the advance on 10/8, 3 days before that advance was finalized.

Gary M. Petti

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

Locations: Akron, Canton, Cleveland, Cincinnati, Columbus, Dayton, Toledo & Youngstown

From: Robert Redick
Sent: Friday, October 19, 2012 12:51 PM
To: Gary Petti; Rob Nestico
Cc: Robert Redick
Subject: RE: [REDACTED] PCF missed
Importance: High

I don't understand. You would have had to sign the acknowledgement for the loan BEFORE they would give it to him.

How could we not have known about this BEFORE the disbursement.

The fee was \$1,000.00 and IF we have to pay that – the amount, in full, will be deducted from your bonus for this month.

I would suggest you investigate exactly how this happened because given what I know of the process, there should be

No way that you and the LA did not know about the loan BEFORE the disbursement.

Robert W. Redick

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

Locations: Akron, Canton, Cleveland, Cincinnati, Columbus, Dayton, Toledo & Youngstown

GMP000031

From: Gary Petti
Sent: Friday, October 19, 2012 12:45 PM
To: Rob Nestico; Robert Redick
Subject: [REDACTED] - PCF missed

I settled his case with his approval. While waiting on the check he called regarding an advance. I tried to discourage him a bit knowing it would be only days before he was disbursed. He got his advance (250), but it was never added to the value screen. The settlement check arrived within days and his file has been disbursed without any payment to PCF. Today we received the bright orange PCF folder. Payback is 311.

Gary M. Petti

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

***Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown***

GMP000032

Re: Lending co

Page 1 of 1

Re: Lending co

Brandy Lamtman

Sent: Friday, November 30, 2012 8:19 PM

To: Rob Nestico

Oh I know. Neither of them told us about it. Ciro was going to waive. I discussed this with Robert and we decided to make attorneys pay because at some point we will need a favor from Ciro and need him to waive. I told Ciro next time they call and ask him that he needs to let me know. We will also address this at meetings. It's not up to the attorneys. It's up to you and Robert.

Sent from my iPhone

On Nov 30, 2012, at 8:10 PM, "Rob Nestico" <nestic@knrlegal.com> wrote:

> Really they better pay him.

>

> Sent from iPhone of Rob Nestico

>

> On Nov 30, 2012, at 6:30 PM, "Brandy Lamtman" <brandy@knrlegal.com> wrote:

>

>> I've been working with Ciro today. Trying to get everything up to date in our system. So far Gary P has closed 2 cases without paying and Ken 1 case.

>>

>> Sent from my iPhone

>>

>> On Nov 30, 2012, at 6:20 PM, "Rob Nestico" <nestic@knrlegal.com> wrote:

>>

>>> Please use liberty capital until further notice.

>>>

>>> Sent from iPhone of Rob Nestico



<https://mail.knrlegal.com/owa/?ae=Item&t=IPKINB08377-AMB.RgAAAABfv%2fc6hoL...> 11/16/2017

Subject: FW: Gotta love our clients!!!

From: gpetti@knrlegal.com

To: pettigary@yahoo.com

Date: Tuesday, November 27, 2012, 3:25:57 PM EST

Gary M. Petti
Kisling, Nestico & Redick
Attorney At Law
3412 W. Market St., Akron, Ohio 44333
Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

Locations: Akron, Canton, Cleveland, Cincinnati, Columbus, Dayton, Toledo & Youngstown

-----Original Message-----

From: Rob Nestico

Sent: Tuesday, November 27, 2012 3:25 PM

To: Nomiki Tsarnas

Cc: Attorneys; Brandy Lamtman

Subject: Re: Gotta love our clients!!!

They don't like macaroni grill? Next time get Popeyes chicken.

Sent from iPhone of Rob Nestico

On Nov 27, 2012, at 3:19 PM, "Nomiki Tsarnas" <Tarnas@knrlegal.com> wrote:

> One of our clients sold our gift card to a pawn shop April's friend works at!!!! LMAO!!!!

>

> From: 3305064473@vzwpx.com [mailto:3305064473@vzwpx.com]

> Sent: Tuesday, November 27, 2012 3:17 PM

> To: Nomiki Tsarnas

> Subject:

>

>

> <IMG_6568.jpg>

GMP000018

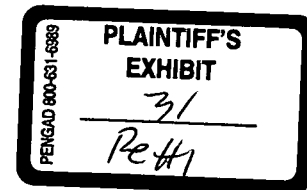


EXHIBIT B

Subject: FW: Objective Injury Case Assignments

From: gpetti@knlegal.com
To: pettigary@yahoo.com
Date: Friday, November 9, 2012, 3:35:35 PM EST

Gary M. Petti

Kisling, Nestico & Redick

Attorney At Law

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown

GMP000041

From: Brandy Brewer
Sent: Friday, November 09, 2012 3:32 PM
To: Preit Attorney
Cc: Rob Nestico; Robert Redick; Holly Tusko
Subject: Objective Injury Case Assignments
Importance: High

EXHIBIT

PENGAD 800-631-6989

2/22/19

From now on, objective injuries will not be distributed evenly. These cases will be distributed to the prelit attorneys that are doing intakes by percentage from the month before.

Youngstown objective cases will stay in Youngstown. Paul or whichever attorney who does the after hours intake, will get the case.

Please see below:

Percentage numbers from the month before, this is how we will distribute objective cases for the following month.

For example: Intakes October 488, but 339 were actually done by prelit attorneys. So...

Petti	28	8%
Jason	52	15%
Josh	90	27%
Ken	35	10%
Paul	76	23%
Horton	58	17%

Should you have any questions about this, please let me know.

Brandy Brewer

Kisling, Nestico & Redick

Executive Assistant to Attorney Nestico

3412 W. Market St., Akron, Ohio 44333

GMP000042

Brandy R. Gobrogge

From: Rob Nestico
Sent: Thursday, October 16, 2014 2:41 PM
To: Kelly Phillips
Cc: Paul W. Steele; John Reagan; Brandy Brewer
Subject: Re: Clearwater

No the e-mail was well received and like I said good to know what is being said but don't let them push you or your clients around with a bunch of BS. If you run into those problems this is why we have a litigation department. Sue them EVERY TIME!!!!

Sent from Attorney Rob Nestico

On Oct 16, 2014, at 1:56 PM, Kelly Phillips <kphillips@knrlegal.com> wrote:

Well clearly my e-mail was not received in the manner it was intended. You have my apologies for that. Was just trying to let you know what I was seeing. Lesson learned. Have a great afternoon!

Kelly Phillips

Kisling, Nestico & Redick

<image001.jpg>

Attorney

2550 Corporate Exchange Drive, Columbus, Ohio 43231

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

Locations: Akron,

Canton,

Cleveland,

Cincinnati,

Columbus,

Dayton, Toledo &

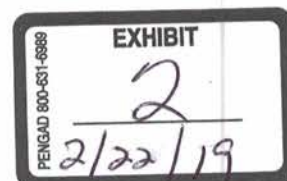
Youngstown

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From: Rob Nestico
Sent: Thursday, October 16, 2014 1:48 PM
To: Kelly Phillips; Paul W. Steele
Cc: John Reagan; Brandy Brewer
Subject: RE: Clearwater

Kelly:

I appreciate the concern but we have considered this issue. I am glad you are thinking about these issues however, that is all the defense perspective. Are we not considering our client's interest when they have signed an LOP and could get sued by Clearwater or Dryfuss, or any other dr the ins. Co. does not agree with their bill? Are we not negotiating with EVERY provider not just Clearwater to help the



client and us get paid. Clearwater is treated no differently than any other provider we deal with that has an LOP.

If it wasn't for MD's willing to do this work who would care for these victims? The Ins. Co. would just find some other excuse not to pay bills and increase their bottom line.

I have taken down Nationwide before and we will do it again if necessary.

In fact, ask yourself why ALL of these companies have paid the Dr either directly his full bill when there is no lawyer or MP has paid us his bill and others in full, but yet on a 3rd party case they raise this BS.

You need to argue the necessity of the treatment and the Dr's credentials, the facts of your case. You were hired to be an ADVOCATE not a puppet for the Insurance company. Any discussion of not considering a Dr's bill will result in litigation even if that means EVERY nationwide case. These are MY directives.

You can't fear them and anytime they want to bring litigation my way I will be happy to take that task on.

Ask yourself these questions and ask any of the litigators in your office when have these bills not been awarded by Jurors. If your case is good on facts i.e. impact, ER, Chiro and MD with a good witness then we litigate the case. PERIOD.

Rest assured you are not the first person to come from the Insurance Defense side, including myself and John Reagan to mention a few. As discussed in our interview you can either make the mental shift or you can't and that is left to be seen. I and plenty of others have made the shift and realize how poorly Insurance Companies as a whole treat people. Anything to increase their bottom line they will say. Speak to Carla Cornicelli in our office, former HEAD of ALLSTATE SIU or Jimmylee Hoover also from Allstate.

A bigger question you should ask your self is, are these people all lying? Are the ER Dr's lying, chiro's lying, Medical Dr's lying, and are we lying? If you answer an of these questions YES then you need to reconsider your choice of employment.

I hope this answers your questions and if not we can discuss this further.

Alberto R. Nestico
Klsing, Nestico & Redick
Attorney

<image001.jpg>

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

*Locations: Akron, Canton, Cleveland,
Cincinnati, Columbus, Dayton, Toledo &
Youngstown*

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From: Kelly Phillips
Sent: Thursday, October 16, 2014 12:53 PM
To: Rob Nestico; Paul W. Steele
Subject: Clearwater

Gentlemen,

Please know that I am not questioning what is going on here, nor am I trying to overstep my bounds. I fully understand my place in the organization. This e-mail is for informational purposes only.

I am now 5 for my last 5 with Nationwide cases where they are flat out refusing to consider anything related to Clearwater. At least when Progressive refuses, they offset with generosity in the general damages. Nationwide is not. Basically, I was told that if I am going to file on the case I was discussing then I better be prepared to file a whole lot of lawsuits. Clearly the Nationwide adjusters have received some form of a directive.

This brings about some concern. In some cases, it makes settlement a near financial impossibility. At the very least, it is taking money out of our client's pocket, and ours. I am a bit concerned with the ethical dilemma this creates. It is not difficult to make an argument that we are treating Clearwater's interests as equal to our clients. If we get a savvy client, we could find ourselves in some trouble. We are playing awful close to the fire. This is especially true when you factor in what Grange is trying to accomplish. Don't make the mistake of assuming that Nationwide and Grange are not in a coordinated effort, or at least having discussions regarding their individual approaches. On the insurance side, I was intimately involved in a coordinated effort to take down a large KY Chiropractic Operation and the firms that were heavily involved with said operation. FYI, Atty. Rob Roby played a bit of a role as well. His role was large enough that he was at least able to garner a blueprint as to how to attack such an operation. It is kind of like a "Raptor" approach....One works the head while the other works the body.

In my experience, when you are running an organization that continues to grow at unprecedented rates, you must regularly stop and take stock in what is happening around you. I am not suggesting that you are not. I am simply saying that given my experience, I am seeing some things that are bringing about concern.

Let me make myself clear, I am a member of your team. I am simply trying to protect you. That is the only reason I am bringing this to your attention. I can only assume you hired me largely because of my Insurance/SIU experience. I am simply trying to convey some of my concerns based on that experience.

Please feel free to disregard this e-mail if you'd like, or call should you want to discuss further.

Respectfully,

Kelly Phillips

Kisling, Nestico & Redick

<image001.jpg>

Attorney

2550 Corporate Exchange Drive, Columbus, Ohio 43231

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

Locations: Akron,

Canton,

<Image002.gif><image003.png><image004.gif><image005.gif><image

*Cleveland,
Cincinnati,
Columbus,
Dayton, Toledo &
Youngstown*

Brandy R. Gobrogge

From: Kelly Phillips
Sent: Tuesday, December 02, 2014 9:23 AM
To: Rob Nestico; Paul W. Steele
Subject: RE: Settlement Figures for Approval [REDACTED]

Client does not have MP.

Here is the response from American Family regarding reductions:

Dear Attorney Phillips:

We have had a chance to review and evaluate the demand packet for your client [REDACTED] with the assistance of our Medical Services Department.

The frequency and length of care submitted by Town and Country Chiropractic is excessive for this type of soft tissue back injury. Per Procedural Utilization Facts 6th Edition, the typical length of chiropractic treatment for a lumbar strain would be a maximum of 8 weeks and 15 visits. According to your submission, [REDACTED] had 17 visits in the first 8 weeks of treatment, and we will therefore consider that as valid. We have deducted some procedures due to an unlisted modality and hot/cold packs beyond the first month as these are both not generally accepted. In addition, Dr. Ghoubrial's office charge for \$350.00 has been deducted since this is already included in the global procedure/surgery charge (injections). In addition, the charges for injections have been reduced for usual and customary.

The total accepted medical bills for eight weeks of care is \$2,005.00. We are offering to settle this claim for \$3,805.00. Please convey this offer to your client and contact me. Thank you.

Respectfully,
Jane F Pedersen
Casualty Claim Adjuster II
American Standard Insurance Company of Ohio
1-800-MYAMFAM (1-800-692-6326) X 800-692-6326 x48115
jpederse@amfam.com



Kelly Phillips

Kisling, Nestico & Redick

Attorney

2550 Corporate Exchange Drive, Columbus, Ohio 43231

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

Locations: Akron, Canton, Cleveland,

Cincinnati, Columbus, Dayton, Toledo

& Youngstown



From: Rob Nestico
Sent: Tuesday, December 02, 2014 9:15 AM
To: Kelly Phillips; Paul W. Steele
Subject: RE: Settlement Figures for Approval [REDACTED]

Get something in writing from them regarding Clearwater. Is there any MP?



KNR04022



Alberto R. Nestico
 Kislring, Nestico & Redick
 Attorney
 3412 W. Market St., Akron, Ohio 44333
 Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

Locations: Akron, Canton, Cleveland, Cincinnati, Columbus, Dayton, Toledo & Youngstown



RATED BY
Super Lawyers



From: Kelly Phillips
 Sent: Tuesday, December 02, 2014 9:05 AM
 To: Rob Nestico; Paul W. Steele
 Subject: Settlement Figures for Approval

REFERRED BY T&C

***American Family only crediting 300 of Clearwater bill citing duplication of billing, and usual & customary

4305

Costs 187.05

Clearwater 600 on 1380

T&C 1570.95 on 4128.84

KNR 947.00

Client 1000.00



Kelly Phillips
 Kislring, Nestico & Redick
 Attorney
 2550 Corporate Exchange Drive, Columbus, Ohio 43231
 Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007
Locations: Akron, Canton, Cleveland, Cincinnati, Columbus, Dayton, Toledo & Youngstown



10/20/2017

Sign Ups

Sign Ups

Holly Tusko

Sent: Tuesday, June 10, 2014 10:26 AM
To: Wes Steele; Paul Hillenbrand; Tom [tfish878@insight.r.com]; David French; Gary Monto; JUDANUDDO@aol.com; James Smith; Dennis Rees; Gary Krebs; Glenn Jones; Aaron Czetti; Mike Simpson; Chuck DeRemer
Cc: Predit Attorney; Brandy Brewer; Rob Nestico
Importance: High

Good Morning KNR Investigators. In an effort to get everyone on the same page please and to ensure that we are servicing our clients to be best of our ability please see the below criteria for doing sign ups. Please note that if this criteria is not met you will not be paid. When doing a sign up the following steps need to be taken...

- 1.) The subject line of your email should always contain the client(s) name
- 2.) The contingency fee agreement, patient authorization and proof of representation forms needs to be signed and dated as well as a discharge letter, if applicable. Keep in mind that we do have 1/3 and 1/4 fee agreements as well as 1/3 and 1/4 Spanish fee agreements. Should you need any of these emailed to you please let me know. The attorney will always advise you if we need 1/4 fee agreements signed, otherwise it will always be 1/3
- 3.) Photo(s) of insurance cards
- 4.) Photo of client (from the chest up)
- 5.) Photo(s) of ANY visible injuries (cuts, red marks, bruises, scratches, stitches, braces, casts, etc)
- 6.) Photo(s) of the vehicle
- 7.) Photo of police report (we send out direct mailers so a lot of the time the client will have the police report there with them).

You can use the above numeric format to add to the body of your email when sending the forms. If for any reason these items are not available then just note it accordingly in the body of your email. Again, this must be done by all Investigators for all sign ups.

Please contact me with any questions / concerns.

Best Regards,

**Holly Tusko**

Kisling, Nestico & Redick

Intake Manager

3412 W. Market St., Akron, Ohio 44333

Main: 330-869-9007 | Fax: 330-869-9008 | Outside Ohio: 800-978-9007

Locations: Akron, Canton, Cleveland, Cincinnati,
Columbus, Dayton, Toledo & Youngstown

<https://mail.knrlegal.com/owa/?ae=Item&t=IPM.Note&id=AMB.RgAAAAC1gQINHGETSSfQw2OnVXIbWdIM3ZJQPJuQrw7XILHI9mEAAAA/UzeAADt...> 1/1

KNR03226

EXHIBIT C

2016-09-3928

GALLAGHER, PAUL

10/02/2018 13:32:47 PM

MOTI

Page 4 of 9

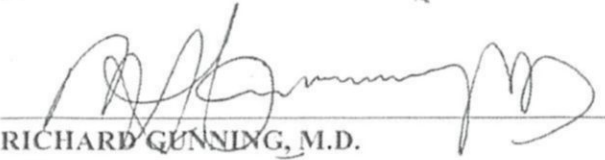
STATE OF)
OHIO)
) SS: AFFIDAVIT OF
COUNTY OF SUMMIT) DR. RICHARD GUNNING

Affiant, Richard Gunning, M.D., being duly sworn deposes and states:

1. I am a board-certified medical doctor, family physician, licensed in the State of Ohio.
2. I have been provided and read a copy of the motion to add Dr. Sam Ghoubrial as a party defendant in Summit County Common Pleas case CV-2016-09-3928.
3. The Plaintiff is alleging that Dr. Ghoubrial provided care and treatment to a patient named Monique Norris.
4. I have searched my patient care records for a patient named Monique Norris.
5. On August 2, 2013 I provided care and treatment to a patient named Monique Norris. The records are attached.
6. My office has never received a request for Monique Norris' medical records from the law offices of Attorney Peter Pattakos.
7. Had Attorney Pattakos requested the records from my office, he would have learned that I was Monique Norris' treating physician, NOT Dr. Ghoubrial.

FURTHER AFFIANT SAYETH NAUGHT.




RICHARD GUNNING, M.D.
Affiant

Sworn to and subscribed in my presence on this 1 day of October, 2018.



Erin Elefritz
Notary Public
In and For the State of Ohio
My Commission Expires
16 January 2022


NOTARY PUBLIC

Sandra Kurt, Summit County Clerk of Courts

Sandra Kurt, Summit County Clerk of Courts

**HIPAA COMPLIANT AUTHORIZATION FOR THE RELEASE OF PATIENT
INFORMATION PURSUANT TO 45 CFR 164.508**

TO: Sam Ghoubril, M.D., Richard Gunning, M.D., Clearwater Billing
Name of Healthcare Provider/Physician/Facility/Medicare Contractor

Street Address

City, State and Zip Code

RE: Patient Name: Monique Norris

Date of Birth: [REDACTED] Social Security Number: [REDACTED]

I authorize and request the disclosure of all protected information for the purpose of review and evaluation in connection with a legal claim. I expressly request that the designated record custodian of all covered entities under HIPAA identified above disclose full and complete protected medical information including the following:

- ☒ All medical records, meaning every page in my record, including but not limited to: office notes, face sheets, history and physical, consultation notes, inpatient, outpatient and emergency room treatment, all clinical charts, reports, order sheets, progress notes, nurse's notes, social worker records, clinic records, treatment plans, admission records, discharge summaries, requests for and reports of consultations, documents, correspondence, test results, statements, questionnaires/histories, correspondence, photographs, videotapes, telephone messages, and records received by other medical providers.
- ☒ All physical, occupational and rehab requests, consultations and progress notes.
- ☒ All disability, Medicaid or Medicare records including claim forms and record of denial of benefits.
- ☒ All employment, personnel or wage records.
- ☒ All autopsy, laboratory, histology, cytology, pathology, immunohistochemistry records and specimens; radiology records and films including CT scan, MRI, MRA, EMG, bone scan, myelogram; nerve conduction study, echocardiogram and cardiac catheterization results, videos/CDs/films/reels and reports.
- ☒ All pharmacy/prescription records including NDC numbers and drug information handouts/monographs.
- ☒ All billing records including all statements, insurance claim forms, itemized bills, and records of billing to third party payers and payment or denial of benefits for the period to .

I understand the information to be released or disclosed may include information relating to sexually transmitted diseases, acquired immunodeficiency syndrome (AIDS), or human



immunodeficiency virus (HIV), and alcohol and drug abuse. I authorize the release or disclosure of this type of information.

This protected health information is disclosed for the following purposes: _____

My role as a Plaintiff in Williams v. KNR, Summit County C.P.

This authorization is given in compliance with the federal consent requirements for release of alcohol or substance abuse records of 42 CFR 2.31, the restrictions of which have been specifically considered and expressly waived.

You are authorized to release the above records to the following representatives of defendants in the above-entitled matter who have agreed to pay reasonable charges made by you to supply copies of such records:

All representatives of Defendants and the Court for any purposes under the applicable protective order

Name of Representative

Representative Capacity (e.g. attorney, records requestor, agent, etc.)

Street Address

City, State and Zip Code

I understand the following: See CFR §164.508(c)(2)(i-iii)

- a. I have a right to revoke this authorization in writing at any time, except to the extent information has been released in reliance upon this authorization.
- b. The information released in response to this authorization may be re-disclosed to other parties.
- c. My treatment or payment for my treatment cannot be conditioned on the signing of this authorization.

Any facsimile, copy or photocopy of the authorization shall authorize you to release the records requested herein. This authorization shall be in force and effect until two years from date of execution at which time this authorization expires.

Signature of Patient or Legally Authorized Representative
(See 45CFR § 164.508(c)(1)(v))

Date

12/12/18

Name and Relationship of Legally Authorized Representative to Patient
(See 45CFR § 164.508(c)(1)(iv))

Witness Signature

Date

IN THE COURT OF COMMON PLEAS
SUMMIT COUNTY, OHIO

MEMBER WILLIAMS, et al.	)	CASE NO.: 2016 0903928
)	
Plaintiffs,	)	JUDGE JAMES BROGAN
)	
-vs-	)	<u>DR. GHoubrial's</u>
	)	<u>SUPPLEMENTAL</u>
KISLING, NESTICO & REDICK,	)	<u>INFORMATION IN SUPPORT</u>
LLC, et al.	)	<u>OF HIS MOTION TO DENY</u>
	)	<u>ADDITION OF DR. GHoubrial</u>
Defendants.	)	<u>TO THIS SUIT</u>

Now comes Sam Ghoubril, M.D., by and through counsel, and hereby provides the Court:

- 1) Affidavit of Sam Ghoubril MD
- 2) Affidavit of Richard Gunning MD (with medical records attached)
- 3) Affidavit of James Casey.

These materials show Dr. Ghoubril did not have a physician patient relationship with Monique Norris. The materials show that Plaintiff's attorney first requested the medical records of Monique Norris on Monday October 1, 2018.

The Court cannot allow Dr. Ghoubril to be joined in this suit as he did not have a physician patient relationship with Monique Norris.

Respectfully submitted,

/s/James S. Casey

James S. Casey (0062552)
DiCELLO LEVITT & CASEY LLC
7556 Mentor Avenue
Mentor, OH 44060
P: (440) 953-8888/F: (440) 953-9138
jcasey@dlcfirm.com



Sandra Kurt, Summit County Clerk of Courts

Sandra Kurt, Summit County Clerk of Courts

Patrick K. Adkinson (0016980)
POLING LAW
4407 Walnut Street, Suite 210
Dayton, OH 45440-3273
P: (937) 431-9660/F: (937) 431-9670
padkinson@poling-law.com

Counsel for Dr. Sam Ghoubrial

CERTIFICATE OF SERVICE

I hereby certify that the foregoing pleading was filed electronically, **this 2nd day of October 2018**. Notice of this filing will be sent to all registered parties by operation of the Court's electronic filing system.

/s/James S. Casey

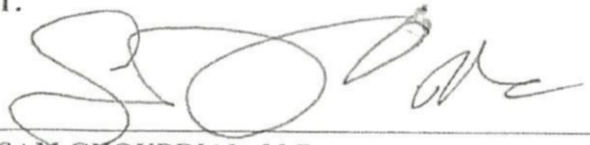
James S. Casey (0062552)

STATE OF)
OHIO)
) SS: AFFIDAVIT OF
COUNTY OF SUMMIT) DR. SAM GHoubrial

Affiant, Sam Ghoubrial, M.D., being duly sworn deposes and states:

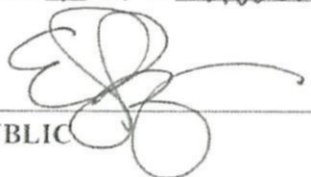
1. I am a board-certified medical doctor, internist, licensed in the State of Ohio.
2. I have been provided and read a copy of the motion to add me as a party defendant in Summit County Common Pleas case CV-2016-09-3928.
3. The Plaintiff is alleging that I provided care and treatment to a patient named Monique Norris.
4. I have searched my patient care records for a patient named Monique Norris.
5. I did not provide care and treatment to a patient named Monique Norris.

FURTHER AFFIANT SAYETH NAUGHT.



SAM GHoubrial, M.D.
Affiant

Sworn to and subscribed in my presence on this 1 day of October, 2018.



NOTARY PUBLIC



Erin Elefritz
Notary Public
In and For the State of Ohio
My Commission Expires
16 January 2022

Sandra Kurt, Summit County Clerk of Courts

Sandra Kurt, Summit County Clerk of Courts

AUTHORIZATION FOR RELEASE OF MEDICAL RECORDS

SUBJECT OF REQUESTED INFORMATION:

Name: Monique Norris

Address: [REDACTED]

Social Security No. [REDACTED]

Date of Birth [REDACTED]

You are hereby authorized to release any all documents, including but not limited to any correspondence, notes, medical records and reports, invoices, bills, and all other information or otherwise recorded, contained in the file of or relating to any past medical treatment involving Monique Norris, to The Pattakos Law Firm LLC, 101 Ghent Road, Fairlawn, Ohio 44333, or to any representative or attorney from that firm.

I specifically authorize you to release information pertaining to my medical treatment, drug and alcohol related treatment, and psychological and psychiatric treatment, if such are part of your records.

I, THE UNDERSIGNED, UNDERSTAND:

- This authorization is voluntary and is given for the purpose of a civil lawsuit;
- This authorization is good until revoked by me in writing to you and The Pattakos Law Firm LLC, at the address listed above;
- The requested information may be protected by the Health Insurance Portability and Accountability Act; and
- A photocopy or facsimile copy of this authorization may be treated the same as the original.

THIS AUTHORIZATION HEREBY REVOKES ANY AND ALL PRIOR AUTHORIZATIONS TO RELEASE INFORMATION CONCERNING ME, EXCEPT AUTHORIZATIONS PROVIDED BY LAW. YOU ARE REQUESTED TO DISCLOSE NO INFORMATION TO ANYONE ELSE WITHOUT MY PRIOR WRITTEN AUTHORIZATION.

MAF ho 10/1/18
SIGNATURE DATE

Richard H. Gunning, M.D.
1134 Brown Street, Suite A1
Akron, Ohio 44301
PHONE 330-331-7207
FAX 330-331-7567

August 2, 2013

Monique Norris

Monique is a 26-year-old African-American female who was involved in a motor vehicle accident on July 29, 2013. She was the seat-belted driver who broadsided a vehicle running through a red light. EMS came on the scene and took her to Akron General where x-rays were done of her left shoulder and left hip and no findings were noted. She was discharged on no medications. She saw the chiropractor who did x-rays and told her she had loss of the normal lordotic curve in her neck. She had sciatica and decreased disc spaces in her lower spine as well as uneven hips.

Past Medical History: 1. Endometriosis for which she will have a hysterectomy on August 12. If she starts any antiinflammatories she will have to stop them on August 5 and start them back up after she is cleared following surgery.

Social History: Unremarkable.

MEDICATIONS: None.

ALLERGIES: Percocet allergy. She cannot tolerate Vicodin.

PHYSICAL EXAM:

INTEGUMENTARY: The skin is without any cyanosis. No evidence of nail fungus, rash or abnormality. Elasticity appears to be WNL.

HEENT: Normocephalic and atraumatic. PERRLA. Mucous membranes are moist. The nose is patent and non-deviated tympanic membranes WNL.

NECK: Thyroid gland could not be palpated. No evidence of any cervical lymphadenopathy. No JVD is noted. She has reproducible pain in the right side of her neck when she turns her head away from it.

CARDIOVASCULAR: RRR normal S1 S2, no murmurs rubs or gallops. No carotid bruits could be appreciated.

LUNGS: Clear to auscultation. No wheezes, rales, or rhonchi could be appreciated on exam.

ABDOMEN: Soft and non-tender with positive bowel sounds. No evidence of any ascites or hepatosplenomegaly. No guarding or rebound tenderness. Negative for hernias.

Patient Name: Monique Norris
Page Two

GRASP/MANIPULATION: Pincer movements and fine coordination appear to be WNL.

BACK: No scars are present. She has pain in the lower back.

UPPER EXTREMITIES: Shoulders, wrists and elbows: demonstrate no scars or gross deformities. +2 radial pulses throughout. She has tenderness about her left shoulder joint, lateral, posterior and anterior. There is reproducible pain with movement of her shoulder in all directions. This is less so in the right shoulder.

LOWER EXTREMITIES: No venous insufficiency or edema. +2 pulses throughout. Ankles and hips demonstrate no gross abnormalities on exam. Her hip is nontender.

MUSCULOSKELETAL: The patient is able to get on and off the exam table without difficulty. The patient is able to do heel to toe walking. The patient doesn't walk with a cane or walker.

NEUROLOGICAL: The patient is alert and oriented x 3. Cranial nerves II-XII are grossly intact throughout. Reflexes are 2/4 throughout. Tactile sensation is WNL. There is a negative Romberg test. Cerebellar testing is within normal limits. There is a negative straight leg raise and negative bowstring sign.

ASSESSMENT:

1. Lumbosacral strain.
2. Cervical strain.
3. Left shoulder sprain.

PLAN: She declined shots. I prescribed Flexeril 10 mg, #30, one PO b.i.d. with no refills; and ibuprofen 800 mg, one PO b.i.d. #30. She is to stop the ibuprofen on August 5 and not take any until after her gynecologist has cleared her following the hysterectomy on August 12. I will see the patient back in two weeks.

SPECIAL NOTE: I provided the patient with a TENS unit. I gave instructions on its use.



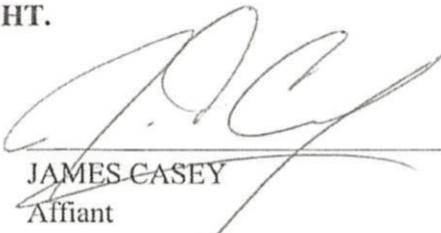
Richard H. Gunning, M.D./rtd

STATE OF)
OHIO)
) SS: AFFIDAVIT OF
COUNTY OF LAKE) JAMES CASEY

Affiant, JAMES CASEY, being duly sworn deposes and states:

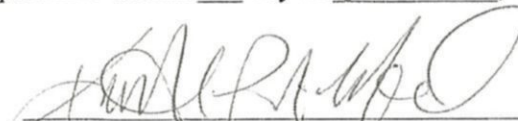
1. I am counsel for Dr. Sam Ghoubril in Summit County Common Pleas case CV-2016-09-3928.
2. On October 1, 2018, I received the authorization to release medical records attached hereto from Attorney Peter Pattakos on behalf of his client Monique Norris.
3. On October 2, 2018, I sent Attorney Pattakos the medical records which are attached and relate to care provided to Monique Norris.

FURTHER AFFIANT SAYETH NAUGHT.



JAMES CASEY
Affiant

Sworn to and subscribed in my presence on this 2nd day of October, 2018



NOTARY PUBLIC