

# EXHIBIT BB

MATTHEW W. JOHNSON  
July 6, 2018

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1 STATE OF OHIO, )  
 COUNTY OF SUMMIT. ) SS:  
 2  
 IN THE COURT OF COMMON PLEAS  
 3  
 MEMBER WILLIAMS, et al., )  
 4 )  
 Plaintiffs, )  
 5 )  
 vs. ) JUDGE PAUL GALLAGHER  
 6 ) CASE NO. CV-2016-09-3928  
 KISLING, NESTICO & )  
 7 REDICK, LLC, et al., )  
 )  
 8 Defendants. )  
 9

10 THE VIDEOTAPED DEPOSITION OF MATTHEW W. JOHNSON  
 FRIDAY, JULY 6, 2018  
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 12

13 The videotaped deposition of MATTHEW W.  
 14 JOHNSON, called by the Defendants for examination  
 15 pursuant to the Ohio Rules of Civil Procedure,  
 16 taken before me, the undersigned, Sarah R. Drown,  
 17 Registered Professional Reporter and Notary Public  
 18 within and for the State of Ohio, taken at the  
 19 offices of Kisling, Nestico & Redick, LLC, 3412  
 20 West Market Street, Fairlawn, Ohio, commencing at  
 21 10:52 a.m., the day and date above set forth.  
 22  
 23  
 24  
 25



MATTHEW W. JOHNSON

July 6, 2018

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<p>1 Q Okay. Do you recall any conversations with</p> <p>2 Paul or anybody at KNR about the terms and</p> <p>3 conditions of this agreement?</p> <p>4 <b>A Just when they went over it with me when I</b></p> <p>5 <b>signed it.</b></p> <p>6 Q Okay. So they did talk to you about these --</p> <p>7 <b>A Yeah, they didn't just hand me a paper and say,</b></p> <p>8 <b>"Here, sign this." You know.</b></p> <p>9 Q They told you, "Do you have any questions?"</p> <p>10 true?</p> <p>11 <b>A Correct.</b></p> <p>12 Q They read each paragraph to you, didn't they?</p> <p>13 <b>A I mean, I read it myself.</b></p> <p>14 Q And then they asked you about --</p> <p>15 <b>A And then they said, "Do you have any</b></p> <p>16 <b>questions?"</b></p> <p>17 Q And you don't recall whether you had questions</p> <p>18 or didn't have questions, fair?</p> <p>19 <b>A No, sir. Yeah, fair.</b></p> <p>20 Q In that paragraph 3, it says, "In the event of</p> <p>21 no recovery, Client shall owe attorneys nothing</p> <p>22 for such advanced expenses."</p> <p>23 Do you see that?</p> <p>24 <b>A Yes.</b></p> <p>25 Q So does that refresh your recollection that if</p>	<p>1 <b>A No, sir.</b></p> <p>2 Q Did you read any documents or do anything to</p> <p>3 refresh your memory over the break?</p> <p>4 <b>A No, sir.</b></p> <p>5 Q Okay. Talk to anybody other than your lawyer</p> <p>6 during the break?</p> <p>7 <b>A I ordered my food.</b></p> <p>8 Q Okay. Do you recall a gentleman by the name of</p> <p>9 Tim Hill?</p> <p>10 <b>A Yeah.</b></p> <p>11 Q Who's that?</p> <p>12 <b>A Dan's dad.</b></p> <p>13 Q Okay. Is he the one who recommended KNR?</p> <p>14 <b>A Yeah.</b></p> <p>15 Q Okay. Where does he work?</p> <p>16 <b>A I have no idea.</b></p> <p>17 Q Is he a nurse at Akron City?</p> <p>18 <b>A I don't know if he still is.</b></p> <p>19 Q Oh, he was at one time?</p> <p>20 <b>A Yeah.</b></p> <p>21 Q Okay. So if anyone from KNR recalls you</p> <p>22 telling them that the referral was from Tim</p> <p>23 Hill, a nurse at Akron City, would that be</p> <p>24 correct?</p> <p>25 <b>A That would be correct, yeah.</b></p>
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<p>1 there was no recovery on your behalf, you</p> <p>2 didn't have to pay back the litigation expenses</p> <p>3 either?</p> <p>4 <b>A I would assume that's exactly what that means.</b></p> <p>5 Q Now that there has been a settlement, do you</p> <p>6 know whether you paid KNR back for their</p> <p>7 expenses in the case? Not their fees, but</p> <p>8 their expenses.</p> <p>9 <b>A I can't recall what all was in there.</b></p> <p>10 Q If all of those expenses were not paid, do you</p> <p>11 have any idea why?</p> <p>12 <b>A No, I don't.</b></p> <p>13 Q Okay. Let's take a break.</p> <p>14 THE VIDEOGRAPHER: Off the record.</p> <p>15 The time is now 1:18.</p> <p>16 -----</p> <p>17 (Recess taken.)</p> <p>18 -----</p> <p>19 THE VIDEOGRAPHER: We're back on</p> <p>20 the record. The time is now 2:29 p.m.</p> <p>21 BY MR. MANNION:</p> <p>22 Q Mr. Johnson, over the lunch break or earlier</p> <p>23 today, has anything come to mind where you</p> <p>24 would like to change or revise any of the</p> <p>25 answers you've given earlier?</p>	<p>1 Q Okay. Do you know how many other KNR clients</p> <p>2 came to retain KNR?</p> <p>3 <b>A Do I know?</b></p> <p>4 Q Yeah.</p> <p>5 <b>A I told you several times I don't know other</b></p> <p>6 <b>people's business.</b></p> <p>7 Q Okay. What is your understanding of the</p> <p>8 defense of Mr. Nestico, Mr. Redick, and KNR to</p> <p>9 your claims against them? Do you have an</p> <p>10 understanding?</p> <p>11 <b>A Can you elaborate?</b></p> <p>12 Q What are they claiming in defense to your</p> <p>13 claims, do you know?</p> <p>14 <b>A I would assume no wrongdoing, like anybody</b></p> <p>15 <b>would, right?</b></p> <p>16 Q Do you know any specific way in which they're</p> <p>17 trying to defend this or facts that they've</p> <p>18 alleged --</p> <p>19 <b>A I haven't --</b></p> <p>20 Q -- to defend the claim?</p> <p>21 <b>A I haven't called anybody and asked them their</b></p> <p>22 <b>strategies, no.</b></p> <p>23 Q No, I didn't ask you if you asked them their</p> <p>24 strategies.</p> <p>25 Do you happen to know what defenses have</p>

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