

# **EXHIBIT Z**

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IN THE COURT OF COMMON PLEAS

SUMMIT COUNTY, OHIO

MEMBER WILLIAMS, et al.,

Plaintiffs,

-vs-

CASE NO. CV-2016-09-3928

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

Defendants.

- - - -

Videotaped deposition of AARON CZETLI, taken as if upon examination before Chana Margareten, a Notary Public within and for the State of Ohio, at Griffin Law LLC, 4051 Whipple Avenue Northwest, Canton, Ohio 44718, at 12:32 p.m., on Wednesday, March 6, 2019, pursuant to notice and/or stipulations of counsel, on behalf of the Plaintiffs.

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1 THE VIDEOGRAPHER: We are now  
 2 ready to begin the deposition. Will the  
 3 court reporter swear in the witness.  
 4 AARON CZETLI, of lawful age, called by the  
 5 Plaintiffs for the purpose of Examination as  
 6 provided by the Ohio Rules of Civil Procedure,  
 7 being by me first duly sworn, as hereinafter  
 8 certified, deposed and says as follows:

9 - - - -

10 EXAMINATION OF AARON CZETLI

11 BY MR. COHEN:

12 Q. Mr. Czetli, I'll introduce myself for the record.  
 13 I'm Josh Cohen. I'm one of the attorneys for the  
 14 plaintiffs in this lawsuit and I will be asking  
 15 you a series of questions here.  
 16 A. **Okay.**  
 17 Q. Could you state your full name for the record,  
 18 please?  
 19 A. **My full name is Aaron Michael Czetli.**  
 20 Q. And what is your home address?  
 21 A. **1679 23rd Street, Cuyahoga Falls, Ohio 44223.**  
 22 Q. Do you understand that you are testifying here  
 23 under oath?  
 24 A. **I do.**  
 25 Q. And do you understand that the testimony you give

6

1 here can be used in court under the various  
 2 circumstances?  
 3 A. **I do.**  
 4 Q. You understand that you have to respond verbally  
 5 to the questions I ask? Do you understand --  
 6 well, you have --  
 7 A. **Correct.**  
 8 Q. Yeah. Do you understand that you have to -- you  
 9 don't have to answer a question that I ask that  
 10 you don't either fully understand or fully hear,  
 11 correct?  
 12 A. **Correct.**  
 13 Q. If a situation like that arises, all you need to  
 14 do is alert me to the problem and then it becomes  
 15 my obligation to correct it; is that fair?  
 16 A. **Fair.**  
 17 Q. You understand that you could take a break at any  
 18 time, so long as no question is pending?  
 19 A. **Okay.**  
 20 Q. And are you aware of anything that might impair  
 21 your ability to answer questions here today?  
 22 A. **No, sir.**  
 23 Q. Did you do anything to prepare to testify at this  
 24 deposition?  
 25 A. **No, sir.**

7

1 Q. You didn't review any documents?  
 2 A. **No.**  
 3 Q. Did you talk to anyone about this deposition?  
 4 A. **I mean, just like my attorney when dates and  
 5 stuff are and when I have to be here.**  
 6 Q. But you talked to no one else about the  
 7 deposition?  
 8 A. **My mother reminded me when my dates and stuff  
 9 were for the --**  
 10 Q. But other than that --  
 11 A. **-- for this stuff. No, sir.**  
 12 Q. Sorry for interrupting. You're the owner of a  
 13 company known as AMC Investigations; is that  
 14 correct?  
 15 A. **Correct.**  
 16 Q. And AMC does work for the Law Firm of Kisling,  
 17 Nestico & Redick, correct?  
 18 A. **I do work for -- for them.**  
 19 Q. You're the person at AMC Investigations who  
 20 actually does the work for Kisling, Nestico &  
 21 Redick, correct?  
 22 A. **I do investigation work, if they need be, yes.**  
 23 Q. Has AMC Investigations ever had someone, other  
 24 than you do work for KNR?  
 25 A. **What do you mean by, someone other than me?**

8

1 Q. In other words, has your company ever employed  
 2 someone, other than you to do work for KNR?  
 3 A. **Me, no.**  
 4 Q. Okay. And when did AMC Investigations first do  
 5 work for the KNR Law Firm?  
 6 A. **That, I do not know exactly when -- when I  
 7 started.**  
 8 - - - -  
 9 (Thereupon, Plaintiff's Exhibit 1 was marked  
 10 for purposes of identification.)  
 11 - - - -  
 12 Q. Okay. I am going to hand you what I have marked  
 13 as Czetli -- am I pronouncing your name right,  
 14 Czetli?  
 15 A. **Czetli, yes.**  
 16 Q. -- Czetli Exhibit 1. And ask whether these --  
 17 this is a copy of the Articles of Incorporation  
 18 that you filed to form AMC Com -- Investigations,  
 19 rather, sorry.  
 20 MR. GRIFFIN: I know you are  
 21 tethered here.  
 22 THE WITNESS: Okay.  
 23 Q. Is this a copy of the Articles of Incorporation  
 24 you filed to form --  
 25 A. **Correct.**

9

1 Q. -- AMC Investigations?  
 2 A. **Uh-huh.**  
 3 MR. GRIFFIN: Wait until he  
 4 finishes.  
 5 THE WITNESS: Oh, I apologize.  
 6 Q. This is a copy of those Articles of Organization,  
 7 correct?  
 8 A. **Correct.**  
 9 Q. If you look at the last page, your signature  
 10 appears on that last page, correct?  
 11 A. **Correct.**  
 12 Q. And your signature is dated September 23, 2008?  
 13 A. **Correct.**  
 14 Q. And that was the month, September 2008, when you  
 15 did form AMC Investigations, correct?  
 16 A. **Correct.**  
 17 Q. Why did you form the company at that time?  
 18 A. **I basically formed the company, so I could -- I**  
 19 **wanted to be able to do work, but I wanted to be**  
 20 **able to do work on my own without having to --**  
 21 **someone controlling me, like I was controlled at**  
 22 **Eshelman Legal Group.**  
 23 Q. So you were doing -- at the time you formed this  
 24 company, you were doing investigation work for  
 25 the Eshelman Firm?

10

1 A. **Correct, Eshelman Legal Group.**  
 2 Q. And you were doing it as -- am I correct, as an  
 3 employee of that firm?  
 4 A. **An employee of them, yes.**  
 5 Q. Okay. And you formed this company, so that you  
 6 could do that work, but work for yourself in  
 7 doing so?  
 8 A. **I did not want to have -- be controlled. They**  
 9 **had too much control. At the end they were --**  
 10 **like some of the work I would do, at the end of**  
 11 **every month, they would deduct money from my**  
 12 **paycheck if say the attorney got fired on a case**  
 13 **or they withdraw, they were just deducting money.**  
 14 **Some other reasons with -- which is not to do**  
 15 **related with the law firm. I was partners with**  
 16 **Jason Eshelman in some rental property that**  
 17 **didn't go good with him and some other stuff.**  
 18 **But he had control of me and I didn't like**  
 19 **someone having control of me, so I started my own**  
 20 **company where no one had control of me. I could**  
 21 **do and -- do and work for whoever I want.**  
 22 Q. Did you get the okay from the Eshelman Firm  
 23 before you formed the corporation?  
 24 A. **No, sir.**  
 25 Q. Did you have some assurance that they would allow

11

1 you to continue to do the investigation work  
 2 after you formed the corp -- the company?  
 3 A. **No.**  
 4 Q. Okay. How -- is it correct that after you formed  
 5 the company, the Eshelman Group continued to use  
 6 you to do investigation work?  
 7 A. **No, sir. I wanted nothing to do with them.**  
 8 Q. Okay. So you stopped doing work for the Eshelman  
 9 Group, in 2008?  
 10 A. **Correct. It would have been around that time.**  
 11 Q. And did you do investigation work for someone  
 12 else at that time through your company?  
 13 A. **At that time, no.**  
 14 Q. Okay. Where did you work after that?  
 15 A. **Right after that, probably no one really. But**  
 16 **then when I started working, basically my first**  
 17 **client that I dealt with was Kisling, Nestico &**  
 18 **Redick.**  
 19 Q. Okay. And do you recall when it was that you  
 20 first started doing work for Kisling, Nestico &  
 21 Redick?  
 22 A. **I would say it would have been close to the same**  
 23 **time. I don't know the exact date.**  
 24 Q. Okay.  
 25 A. **But I don't -- I didn't take too much time off of**

12

1 **not working.**  
 2 Q. Was it Rob Nestico who brought you to the  
 3 Kisling, Nestico -- withdraw that. Was it Rob  
 4 Nestico who introduced you to the opportunity to  
 5 work for the Kisling, Nestico & Redick Firm?  
 6 A. **I -- I knew the -- the gentlemen, all three of**  
 7 **them.**  
 8 Q. You knew all three of them. How was it that you  
 9 came to do work for -- that your company came to  
 10 do work for KNR?  
 11 A. **I -- I approached Rob and basically I also knew**  
 12 **Robert and Gary. They all worked at Eshelman**  
 13 **Legal Group when I was there. So I knew that**  
 14 **they started their own firm. And I asked if what**  
 15 **I provide as a service is something that they**  
 16 **would be interested in.**  
 17 Q. And you were hired at that time, your firm --  
 18 your company was?  
 19 A. **Through talking with the partners there**  
 20 **afterwards, yes, then I started doing stuff for**  
 21 **their company.**  
 22 Q. Did any one of the three KNR partners take the  
 23 lead in dealing with you at that time?  
 24 A. **I would say, I kind of -- when I started doing**  
 25 **stuff, I kind of worked with all three of them,**

29

1 **the information.**

2 Q. So the e-mail that you send to either intake or

3 sign-ups is also copied to the attorney who made

4 the assignment?

5 A. **I'm not sure about that. I know it's sent to who**

6 **KNR would like me to send it to.**

7 Q. But you don't independently send it to the

8 attorney who made the assignment?

9 A. **I send it to wherever they would like me to send**

10 **it to.**

11 Q. Okay. Do you -- do you communicate, do you call,

12 do you e-mail the attorney --

13 A. **I will --**

14 MR. GRIFFIN: Wait. He is not

15 done yet.

16 THE WITNESS: Oh, sorry. I

17 apologize.

18 Q. Do you call or e-mail the attorney who made the

19 assignment to let them know the assignment has

20 been completed?

21 A. **I didn't -- when these forms and everything get**

22 **sent in they would know that the appointment is**

23 **complete.**

24 Q. So the answer is, you don't call them or e-mail

25 them to let them know the assignment was

30

1 completed?

2 A. **I send --**

3 MR. POPSON: Objection. Go ahead.

4 A. **Oh, I send an e-mail to these places --**

5 Q. And that's how you --

6 A. **-- when it's completed.**

7 Q. And that's how you alert the firm that it's been

8 completed, right?

9 A. **Yeah, that's how they would know it's completed.**

10 Q. Okay. Do you communicate with KNR attorneys in

11 instances, other than when they're contacting you

12 to assign a sign-up?

13 A. **I mean, yeah, I've talked to them, yes.**

14 Q. For work purposes, do you communicate with them

15 on other occasions, other than when they're

16 making an assignment for a sign-up?

17 A. **If they need me to do any other thing, then, yes,**

18 **I will talk to the attorney.**

19 Q. What sort of other things will they communicate

20 with you about?

21 A. **Like say if they are unable to get ahold of a**

22 **client, they will ask me if I could drive by that**

23 **location, knock on the door, see if they are**

24 **there, because they're -- they need to talk to**

25 **them, and the client has not called in.**

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1 **You know, sometimes if they're couldn't have**

2 **gotten pictures of the car at a certain time,**

3 **sometimes they might say, hey, could you go get**

4 **pictures or we might need you to go get this**

5 **medical record. I might need you to file this.**

6 **I might need you to disburse money. So there**

7 **could be other things they might call me for,**

8 **other than just the normal investigation.**

9 Q. So there are individual tasks that attorneys may

10 ask you to perform separate and apart from these

11 sign-ups; is that right?

12 A. **Correct.**

13 Q. And are you paid specifically for those

14 independent tasks that you handle?

15 A. **I am not, no.**

16 Q. Okay. Are you asked to perform those tasks only

17 in connection with the cases in which you've done

18 the sign-up?

19 A. **No. I've done tasks on cases that I did not do**

20 **the sign-up.**

21 - - - -

22 (Thereupon, Plaintiff's Exhibit 4 was marked

23 for purposes of identification.)

24 - - - -

25 Q. Let me hand you what's been marked as Czetli

32

1 Exhibit 4, and ask whether you could identify

2 this as a copy of an e-mail that you received

3 from Megan Little?

4 A. **So what is your question?**

5 Q. My question is, is this a copy of an e-mail that

6 you received from Megan Little?

7 A. **It looks like it was sent to me.**

8 Q. And you have no reason to believe that you didn't

9 receive it?

10 A. **Correct.**

11 Q. Megan Little was a paralegal at KNR; is that

12 correct?

13 A. **I do not remember.**

14 Q. She's identified as such at the bottom of this

15 e-mail, correct?

16 A. **Yeah. That's how -- that's how she's identified**

17 **as, yes.**

18 Q. And this e-mail was sent both to you and Mike

19 Simpson, correct?

20 A. **Correct.**

21 Q. And in the e-mail she is asking either you or

22 Mr. Simpson to stop at the Cleveland Police

23 Department records department to pick up a copy

24 of a crash -- traffic crash report for a

25 particular client, correct?

33

- 1 A. **Correct.**
- 2 Q. Is this a copy of one of -- excuse me. Is this
- 3 an example of one of the individual tasks for
- 4 which you were asked to handle from
- 5 time-to-time-by KNR?
- 6 A. **It looks like it.**
- 7 Q. Does AMC Investigations have an office?
- 8 A. **At the 1679 or whatever.**
- 9 Q. Pardon?
- 10 A. **The 1679 23rd Street.**
- 11 Q. At your home?
- 12 A. **Correct. It's just a little home thing.**
- 13 Q. Okay. How much time do you spend at your home
- 14 office, work time, I should say, do you spend at
- 15 your home office?
- 16 A. **Work time, I mean, it really would -- really**
- 17 **would depend on if stuff comes up. You know,**
- 18 **sometimes I could be there for a while or if I'm**
- 19 **busy out meeting with people, not that much.**
- 20 **Every day is different.**
- 21 Q. Obviously, when you're on assignment, you're not
- 22 in your home office?
- 23 A. **Correct.**
- 24 Q. But when you're not on assignment, are you
- 25 typically at your home office during work time?

34

- 1 A. **If I'm not, and I've already been on sign-up, a**
- 2 **lot of times I will be in my car, basically.**
- 3 Q. Are there any particular tasks for your company
- 4 that you typically perform at the home office?
- 5 Anything that you typically handle while you're
- 6 at the home office?
- 7 A. **Occasionally, I'll do -- at the home office, I'll**
- 8 **do some envelopes for -- for them, but that's a**
- 9 **separate thing.**
- 10 Q. You do some envelopes for KNR?
- 11 A. **Yes.**
- 12 Q. You mean, like mailers and such?
- 13 A. **Correct.**
- 14 Q. And how is that separate?
- 15 A. **It's totally unrelated to this. It's something**
- 16 **that they do. Something that I do for extra**
- 17 **money.**
- 18 Q. Oh, you get paid for that?
- 19 A. **Correct.**
- 20 Q. I forgot to ask you about the payment for the
- 21 sign-up fees. You get paid a flat fee for doing
- 22 a sign-up, correct?
- 23 A. **Correct.**
- 24 Q. And do you -- does your company issue an invoice
- 25 to KNR in connection with the sign-ups that they

35

- 1 have done?
- 2 A. **No.**
- 3 Q. Is the company billed for this?
- 4 A. **No.**
- 5 Q. How -- how is it that payment is made?
- 6 A. **Basically, it would be for these ones that get**
- 7 **sent in to them or whatever, it would -- for me**
- 8 **basically would be on the honor system that if I**
- 9 **send one of these in, I expect that the KNR, if I**
- 10 **have done the proper work, that they would**
- 11 **compensate me for it.**
- 12 Q. So when you say "one of these", you are talking
- 13 about the e-mails?
- 14 A. **Yeah, if I send in one of the e-mail things.**
- 15 Q. So you don't independently keep a list of the
- 16 sign-ups that you've performed; is that correct?
- 17 A. **I mean, I could -- I would be able to go through**
- 18 **my calendar or e-mails, but I -- I don't really**
- 19 **keep on it.**
- 20 Q. Okay. Has there ever been an occasion when KNR
- 21 did not pay you for a sign-up you performed?
- 22 A. **There could have been. I don't believe that they**
- 23 **have.**
- 24 Q. But you are not aware of any situation in which
- 25 you didn't get paid for a sign-up you performed?

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- 1 A. **I'm not aware of it.**
- 2 Q. Has there ever been a situation when you went to
- 3 perform a sign-up, where the client refused to
- 4 sign the contingency fee agreement?
- 5 A. **Yes.**
- 6 Q. Does KNR pay the flat fee under those
- 7 circumstances?
- 8 A. **No, I don't get --**
- 9 Q. How many times has that happened to you? Do you
- 10 recall?
- 11 A. **Not -- it's very rare, just because when I am**
- 12 **going out there, the people know why I'm out**
- 13 **there for.**
- 14 Q. So they've already talked to the attorney and
- 15 agreed for --
- 16 A. **Correct. It's very rare that it happens.**
- 17 Q. Okay. Do you --
- 18 A. **A lot of times it's the -- people might need to**
- 19 **wait for like a spouse to come home or they were**
- 20 **supposed to be there at that time, and they were**
- 21 **told, until I'm there, don't sign these forms.**
- 22 Q. Do you have an understanding of why KNR does not
- 23 pay the flat fee under those circumstances?
- 24 MR. POPSON: Objection.
- 25 Q. You could answer.

41

1 **have one. I was always old school with the**  
 2 **paperwork or whatever, because I'm not -- I don't**  
 3 **like technology that good.**  
 4 Q. All right. So there was a period of time where,  
 5 you don't know how long, but there was a period  
 6 of time where you didn't have an iPad?  
 7 A. **Correct.**  
 8 Q. And how did you gather the information when you  
 9 didn't have the iPad? What did you do?  
 10 A. **Everything was done by hand, and with actual**  
 11 **paperwork.**  
 12 Q. Okay. So they give you an iPad. What about your  
 13 car? Who owns your car?  
 14 A. **I own my car.**  
 15 Q. Do you -- who pays for the insurance for your  
 16 car?  
 17 A. **I pay for the insurance for the car.**  
 18 Q. What about the gas for the car, who pays for the  
 19 gas?  
 20 A. **I pay for gas.**  
 21 Q. Do you receive health insurance benefits from  
 22 KNR?  
 23 A. **I do not.**  
 24 Q. Vacation time, you don't get paid for vacation  
 25 time?

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1 A. **No.**  
 2 Q. Do they have a 401k or anything like that for  
 3 you?  
 4 A. **No.**  
 5 Q. You were asked a question a little bit earlier  
 6 about not getting paid when the person does not  
 7 sign the paperwork. Do you recall that question?  
 8 A. **Correct.**  
 9 Q. All right. When they don't sign the paperwork, I  
 10 take it that when you leave there you haven't  
 11 gathered all of that list of information that was  
 12 requested to be gathered, correct?  
 13 A. **Correct.**  
 14 Q. Okay. And it's true they're paying you to go out  
 15 there and gather that information, right?  
 16 A. **Correct.**  
 17 Q. KNR provides you with any training on how to do  
 18 your job, like how to be an investigator?  
 19 A. **Not really.**  
 20 Q. When a case -- when a case you have been given an  
 21 investigator fee for, because you went and did  
 22 the sign-up and then you mentioned that later on  
 23 sometimes you are asked to do additional tasks?  
 24 A. **Correct.**  
 25 Q. Would some of those include picking up records?

43

1 A. **Correct.**  
 2 Q. Or dropping off records?  
 3 A. **Correct.**  
 4 Q. You ever have to go to a salvage yard and look  
 5 for a car before?  
 6 A. **Correct.**  
 7 Q. Do you deliver motions to the courts sometimes?  
 8 A. **Correct.**  
 9 Q. Or pleadings?  
 10 A. **I have.**  
 11 Q. Have you had to go verify witnesses or talk to a  
 12 witness before?  
 13 A. **I have.**  
 14 Q. Have you ever had to verify addresses of  
 15 witnesses or companions?  
 16 A. **Yes.**  
 17 Q. All right. And those are things that are done  
 18 after that initial sign-up, right?  
 19 A. **Correct.**  
 20 Q. And when you do those additional tasks for a file  
 21 that you did the sign-up on, do you -- is that  
 22 included in the original \$50 that you got paid,  
 23 those additional services?  
 24 A. **Correct.**  
 25 MR. POPSON: All right. Nothing

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1 further.  
 2 - - - -  
 3 RE-EXAMINATION OF AARON CZETLI  
 4 BY MR. COHEN:  
 5 Q. I have a few follow-ups. Mr. Czetli, you  
 6 testified that when you do those follow-up tasks,  
 7 it wasn't always in connection with cases in  
 8 which you had done the sign-up, correct?  
 9 A. **What do you mean by --**  
 10 Q. When you go, for instance, to verify a witness or  
 11 verify a client or take a photograph at a junk  
 12 yard, it wasn't always in connection with a case  
 13 in which you had done the sign-up, correct?  
 14 A. **Correct.**  
 15 Q. Okay. You would have been talking about asking  
 16 about verifying witnesses. I just want to make  
 17 it clear, are you a notary public?  
 18 A. **No, sir.**  
 19 Q. Okay. So you --  
 20 MR. COHEN: Okay. That's all I  
 21 have.  
 22 MR. DAGON: I have nothing.  
 23 MR. POPSON: No further questions.  
 24 MR. GRIFFIN: He's going to read.  
 25 THE VIDEOGRAPHER: This now