

ELECTRONICALLY FILED

COMMONWEALTH OF KENTUCKY
WARREN CIRCUIT COURT,
DIVISION I
CIVIL ACTION NO.: 17-CI-01382

STACY BOSTER, Individually and as Administratrix
Of the ESTATE OF LONNY BOSTER, JR.; and,
CHRISTINA SWALLOWS and AMBER MCCAULEY,
Co-Administratrixes of the ESTATES OF LONNY BOSTER, SR.,
and CARL BOSTER; and, KIMBERLY TABOR, Administratrix
of the ESTATE OF JONELL BOSTER; and
MELINDA PENNYCUFF, Administratrix of the
ESTATE OF ROBERT HOGAN

PLAINTIFFS

and

PAMELA BRATCHER, as next friend of D.B., a minor

INTERVENING PLAINTIFF

v.

GORDON FOOD SERVICE, INC.;
WILLIAM D. SOWELL;
GFS TRANSPORT, LLC.; and
SCOTTY'S CONTRACTING & STONE, LLC

DEFENDANTS

COMMONWEALTH OF KENTUCKY
WARRANT CIRCUIT COURT,
DIVISION I
CIVIL ACTION NO.: 18-CI-00626

KEITH T. VICKERS

PLAINTIFF

v.

GORDON FOOD SERVICE, INC.;
WILLIAM D. SOWELL;
GFS TRANSPORT, LLC.; and
SCOTTY'S CONTRACTING & STONE, LLC

DEFENDANTS

SECOND AMENDED NOTICE TO TAKE VIDEO DEPOSITION
OF PLAINTIFF CHRISTINA D. KELLY

Please take notice that the Defendants, by counsel, will proceed to take the video deposition
of **Christina D. Kelly** by remote audio-video conference at **10:00 a.m. (CDT) on Wednesday,**

April 22, 2020. Please take further notice that: 1) The deposition will be conducted remotely, using audio-visual conference technology; 2) The court reporter will report the deposition from a location separate from the witness; 3) Counsel for the parties and their clients will be participating from various, separate locations; 4) The court reporter will administer the oath to the witness remotely; 5) The witness will be required to provide government-issued identification satisfactory to the court reporter, and this identification must be legible on camera; 6) Each participating attorney may be visible to all other participants, and their statements will be audible to all participants; 7) All exhibits will be provided simultaneously and electronically to the witness and all participants; 8) The court reporter will record the testimony; 9) The deposition may be recorded electronically; and, 10) Counsel for all parties will be required to stipulate on the record their consent to this manner of deposition, and their waiver of any objection to this manner of deposition, including any objection to the admissibility at trial of this testimony based on this manner of deposition.

Deponent, Christina D. Kelly, is to produce for inspection and copying at the time and place as indicated above, the following:

1. A current Curriculum Vitae;
2. Any and all certifications you may have;
3. Any and all reports you have issued related to this case;
4. Any notes, including but not limited to handwritten notes, electronic notes, phone notes, digital notes, memoranda, recordings, you have drafted/created related to this case;
5. Any and all literature, textbooks, treatises, publications, articles, abstracts, seminar materials, reference materials, regulations, statutes, and depositions, you have relied on, used, consulted, reviewed, or referenced in formulating your conclusions and opinions in this case.

6. Any and all other documents you relied upon in formulating your opinions in this case;
7. All correspondence by and between any attorney in this case, as identified in the Certificate of Service to this Notice, and you;
8. Any contracts or agreements between any attorney in this case, as identified in the Certificate of Service to this Notice, and you;
9. A list of cases in which you have testified as an expert witness;
10. All invoices generated by you as related to work performed on this case;
11. A list of all compensation you have received for expert testimony in previous cases;
12. A list of how much income you have derived from your employment as an expert witness in cases; and,
13. Any exhibits, tables, drawings, or diagrams, you may use to illustrate your opinions, while testifying in this case.

This deposition will be taken pursuant to the Kentucky Civil Rules of Procedure. Oral examination will be adjourned and continued from day to day until completed.

This April 6, 2020.

/s/ Thomas N. Kerrick
Thomas N. Kerrick
Ena V. Demir
KERRICK BACHERT, PSC
1025 State Street
P.O. Box 9547
Bowling Green, KY 42101
Phone: (270)-782-8160
Facsimile: (270)-782-5856
tkerrick@kerricklaw.com
edemir@kerricklaw.com

and

/s/ Kevin K Ross-Andino
Kevin K. Ross-Andino, *Pro Hac Vice*
Jolynn Marie Falto, *Pro Hac Vice*
éclat Law, LLP
307 Cranes Roost Blvd., Suite 2010
Altamonte Springs, FL 32701
Phone: (407)-636-7004
Facsimile: (888)-413-0249
kevin.ross@eclatlw.com
jfalto@eclatlw.com
Attorneys for GFS and Sowell

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing was filed electronically and sent to the following:

David W. Craig, Scott A. Faultless
Krysten M. Lester-LeFavour, Christopher M. Barry
CRAIG KELLEY & FAULTLESS LLC
5845 Lawton Loop East Drive Indianapolis, IN 46216
Email: dcraig@ckflaw.com
Email: sfaultless@ckflaw.com
Email: klefavour@ckflaw.com
Email: cbarry@ckflaw.com
Counsel for Melinda Pennycuff as the administrator of the Estate of Robert Hogan

Wesley V. Milliken
Milliken Law Firm
P.O. Box 1640
Bowling Green, KY 42102-1640
Counsel for Melinda Pennycuff as the administrator of the Estate of Robert Hogan

Charles H. Cassis, Esq. Aaron J. Silletto, Esq.
Goldberg Simpson, LLC Norton Commons
9301 Dayflower Street
Prospect, KY 40059
Email: ccassis@goldbergsimpson.com
Email: asilletto@goldbergsimpson.com
Counsel for Scotty's Contracting & Stone, LLC
Liz J. Shepherd
Dolt Thompson Shepherd & Conway PSC
13800 Lake Pointe Circle
Louisville, KY 40223
Email: lshepherd@kytrial.com
Counsel for Stacy Boster and D.B. a minor By and Through his Next Friend, Pamela Bratcher

David E. Harris & Louie Cook
Sico Hoelscher Harris & Braugh LLP
3 Riverway, Ste. 1910
Houston, TX 77056
Counsel for Stacy Boster, Individually and as Administratrix of the Estate of Lonny Boster, Jr., and D.B., a minor By and Through his Next Friend, Pamela Bratcher

Sean R. Roth, Mike Stephenson, Brady Rife, & Marc Tawfik
McNelly Stephenson
318 Pearl Street, Ste. 200 New Albany, IN 47150
Email: Marc.Tawfik@msth.com
Email: m.m.stephenson@msth.com
Email: brady.j.rife@msth.com
Email: Sean.R.Roth@msth.com
Counsel for Christina Swallows and Amber McCauley, Co-Administratrixes of the Estate of Carl Boster and the Estate of Lonny Boster, Sr.

Reginald B. Bishop, Esq.
W. Russell Sipes
THE BISHOP LAW FIRM
151 North Delaware Street, Suite #1130
Indianapolis, IN 46204
Email: Rbishop@thebishoplawfirm.law
Counsel for Kimberly Tabor, as Administratrix of the Estate of Jonell Boster

Matt McGill
Lowder & McGill, PLLC
537 E. 10th Street, Ste. 200 Bowling Green, KY 42101
Email: matt@lowdermcgill.com
Counsel for Kimberly Tabor, as Administratrix of the Estate of Jonell Boster

Matthew J. Baker
911 College Street, Suite 200 Bowling Green, KY 42101
Email: mbakerlaw@bellsouth.net
Counsel for Keith Vickers

This April 6, 2020.

/s/ Thomas N. Kerrick
Thomas N. Kerrick