

1 Michael J. Miller (appearance *pro hac vice*)
2 Timothy Litzenburg (appearance *pro hac vice*)
3 Curtis G. Hoke (State Bar No. 282465)
4 **THE MILLER FIRM, LLC**
5 108 Railroad Ave.
6 Orange, VA 22960
7 Phone: (540) 672-4224
8 Fax: (540) 672-3055
9 mmiller@millerfirmllc.com
10 tlitzenburg@millerfirmllc.com
11 choke@millerfirmllc.com

12 *Attorneys for Plaintiff*
13 **DEWAYNE JOHNSON**

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN FRANCISCO

DEWAYNE JOHNSON,
Plaintiff,
v.
MONSANTO COMPANY
Defendants.

Case No. CGC-16-550128

**DECLARATION OF CURTIS G. HOKE IN
SUPPORT OF PLAINTIFF'S MOTION *IN*
LIMINE NO. 5 TO EXCLUDE EVIDENCE,
TESTIMONY AND ARGUMENT
REGARDING ATTORNEY RETENTION
AND ADVERTISING**

Trial Judge: TBD

Hearing Date: TBD

Time: TBD

Department: TBD

Trial Date: June 18, 2018

[Filed Concurrently with Memorandum of Points
and Authorities and [*Proposed*] Order]

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*Superior Court of California,
County of San Francisco*
05/24/2018
Clerk of the Court
BY: SANDRA SCHIRO
Deputy Clerk

EXHIBIT A

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN FRANCISCO

-----)	
DEWAYNE JOHNSON,)	
)	
Plaintiff,)	
)	
vs.)	Case No.
)	CGC-16-550128
MONSANTO COMPANY,)	
)	
Defendant.)	
-----)	

VIDEOTAPED DEPOSITION OF
DEWAYNE ANTHONY LEE JOHNSON
Vallejo, California
Thursday, December 7, 2017
Volume I

Reported by: SUZANNE F. GUDELJ
CSR No. 5111
Job No. 2770165

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN FRANCISCO

DEWAYNE JOHNSON,)	
)	
Plaintiff,)	
)	
vs.)	Case No.
)	CGC-16-550128
MONSANTO COMPANY,)	
)	
Defendant.)	
)	

Videotaped Deposition of DEWAYNE ANTHONY LEE JOHNSON, Volume I, taken on behalf of Defendant Monsanto, at Courtyard by Marriott, 1000 Fairgrounds Drive, Vallejo, California, beginning at 9:24 a.m. and ending at 6:48 p.m., on Thursday, December 7, 2017, before SUZANNE F. GUDELJ, Certified Shorthand Reporter No. 5111.

1 APPEARANCES:

2

3 For Plaintiff:

4 THE MILLER FIRM, LLC

5 BY: TIMOTHY LITZENBURG, ESQ.

6 108 Railroad Avenue

7 Orange, Virginia 22960

(540) 572-4224

8 tlitzenburg@millerfirmllc.com

9

10 For Defendant:

11 HOLLINGSWORTH LLP

12 BY: WILLIAM J. COPLE III, ESQ.

13 BY: STEPHANIE SALEK, ESQ.

14 1350 I Street, N.W.

15 Washington, DC 20005

16 (202) 898-5800

17 wcople@hollingsworthllp.com

18 ssalek@hollingsworthllp.com

19

20 FARELLA BRAUN & MARTEL LLP

21 BY: SANDRA A. EDWARDS, ESQ.

22 235 Montgomery Street, 17th Floor

23 San Francisco, California 94104

24 (415) 954-4400

25 sedwards@fbm.com

1 APPEARANCES (Continued):

2

3 Also Present:

4 KEVIN FOUR: Veritext Video Operator

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1 you didn't --

2 A It was before the '14 or before whenever
3 they say I got diagnosed --

4 Q What --

5 A -- because I had the lesion. I had -- 12:06:23
6 remember I had those marks already on my body?

7 Q All right. So you were telling the
8 secretary about your symptoms --

9 A Yeah.

10 Q -- but not the diagnosis because you didn't 12:06:32
11 have it yet?

12 A No.

13 Q Okay.

14 A Oh, wow.

15 Q How did you -- how did you come to file a 12:06:43
16 lawsuit against Monsanto? Did -- did someone
17 approach you and ask you if you wanted to do that?

18 A People at the job see me and they see me
19 getting sicker. They see me getting real brown from
20 the chemo. And they're like, "You need a lawyer, 12:07:04
21 you need a lawyer, dude." And I'm like, "I don't
22 really need no lawyer." "You need a lawyer to get
23 some legal help."

24 All right. So I reached out to
25 two different lawyers, and they both got back with 12:07:16

1 me. Just put it out from there.

2 Q How did you decide which lawyer to reach
3 out to?

4 A I really don't know. I talked to them on
5 the phone. If they sound doubtful or we don't know, 12:07:27
6 you know, people have those cases all the time and,
7 you know, they never -- I just hung -- I didn't hang
8 up, but I was like okay, thank you. And I went to
9 the ones that said yeah, I know about this. We can
10 help you a lot over here. You know, that's the one 12:07:41
11 I went with.

12 Q Did you -- did you see anything on
13 television or the Internet?

14 A You know, I didn't see anything -- anything
15 on television until about month ago. I was sitting 12:07:50
16 inside Solano dying and just in super pain, and it
17 comes on the TV, because I don't watch cable TV at
18 home. We have Internet TV. So I see different --
19 you have to see the commercial three times during
20 the show, you know what I mean? So we don't watch 12:08:05
21 cable TV.

22 So I was sitting there watching cable TV at
23 Sutter, and the commercial comes on and says if
24 you've been exposed to Ranger PRO or Roundup, you
25 should call this number right here, get compensation 12:08:17

1 for people that's been exposed.

2 So I'm saying to myself, like oh, this is
3 serious now. They're actually really starting to
4 get this going, you know, so it was pretty tough.

5 Q Did you call? 12:08:32

6 A No.

7 Q Did you already have a lawyer?

8 A Yes, sir. Two lawyers.

9 Q Who at -- who at the Benicia Unified
10 School -- 12:08:44

11 A Huh?

12 MR. COPLE: Am I the only one hearing
13 music?

14 MS. SALEK: No.

15 THE WITNESS: We better be hearing that 12:08:53
16 music.

17 BY MR. COPLE:

18 Q All right. Who at the Benicia Unified
19 School District said to you, Mr. Johnson, that you
20 should get a lawyer? 12:09:03

21 A My coworkers. Edwin definitely was the
22 first one. He was like --

23 (Reporter clarification.)

24 Edwin Martinez. He said, "You look like
25 Eddie Murphy. You need to get a lawyer." So some 12:09:13

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1 dark humor there.

2 And yeah, other people say, "Do you have a
3 lawyer?" Even the lady at Christine Hernandez, or
4 whatever her name was, who's the dermatologist, her
5 mother's a teacher at the school district. She told 12:09:26
6 me too, she says, "You need to get a lawyer. My
7 daughter told me that you were in very bad shape."

8 Her daughter -- her daughter is a doctor,
9 same doctor. We just happened to have that
10 connection and learned -- when she found out it was 12:09:40
11 her daughter that diagnosed me, she's like, "Oh,
12 yeah, I talked to my daughter." You know, it's very
13 sad that you have that" or whatever. She said,
14 "What are you going to do? You need a lawyer, man."

15 Q Why did you decide to sue Monsanto? 12:09:51

16 A Because I felt like they are the bigger
17 company than my school district. My school district
18 is only going to be the Workers' Comp case, but my
19 life is going to be ruined unless a miracle happens,
20 so that's why I decided to go after Monsanto. 12:10:07

21 Q You sued Monsanto because they were the
22 biggest company in the school district?

23 A No, because they're a company that's bigger
24 than my company, and you can do a personal injury
25 case with just going directly into them. I couldn't 12:10:18