1 2 3 4 5 6 7	Michael J. Miller (appearance pro hac vice) Timothy Litzenburg (appearance pro hac vice) Curtis G. Hoke (SBN 282465) The Miller Firm, LLC 108 Railroad Ave. Orange, VA 22960 (540) 672-4224 phone; (540) 672-3055 fax mmiller@millerfirmllc.com tlitzenburg@millerfirmllc.com choke@millerfirmllc.com  Attorneys for Plaintiff DEWAYNE JOHNSON		ELECTRONICALLY FILED Superior Court of California, County of San Francisco 06/12/2018 Clerk of the Court BY:VANESSA WU Deputy Clerk			
8 9						
10	SUPERIOR COURT OF THE STATE OF CALIFORNIA					
11	FOR THE COUNTY OF SAN FRANCISCO					
12						
13	DEWAYNE JOHNSON,	Case No. CG				
14	Plaintiff,	DECLARATION OF CURTIS G. HOKE IN SUPPORT OF PLAINTIFF'S REPLY IN				
15	V.	SUPPORT O NO. 5	OF HIS MOTION IN LIMINE			
16	MONSANTO COMPANY	Trial Judge: T	חמי			
17	Defendants.					
18		Trial Date: Time:	June 18, 2018 9:30 a.m.			
19		Department:	TBD			
20						
21		1				
22						
23						
24						
25						
26						
27						
28						
- 1						

DECLARATION OF CURTIS G. HOKE

## **DECLARATION OF CURTIS G. HOKE**

I, Curtis Hoke, declare and state:

22.

- 1. I am an attorney at law admitted to practice before all of the courts in the state of California. I am an attorney at The Miller Firm, LLC, attorneys of record for Plaintiff Dewayne Johnson. I am over eighteen years of age and am fully competent to make this Declaration in support of Plaintiff's Reply in Support of His Motion *in limine* No. 5. Except as otherwise expressly stated below, I have personal knowledge of the facts stated in this declaration, and if called to testify, I could and would competently testify to the matters stated herein.
- 2. Attached hereto as **Exhibit A** is a true and correct copy of relevant portions of the deposition of Deposition of Dewayne Johnson that occurred on December 7, 2017.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on June 12, 2018 in Orange, Virginia.

Curtis G. Hoke.

Declarant

## Exhibit A

1	SUPERIOR COURT OF THE STATE OF CALIFORNIA		
2	FOR THE COUNTY OF SAN FRANCISCO		
3			
4			
5	DEWAYNE JOHNSON, )		
	)		
6	Plaintiff, )		
	)		
7	vs. ) Case No.		
	) CGC-16-550128		
8	MONSANTO COMPANY, )		
	)		
9	Defendant. )		
	)		
10			
11			
12			
13	VIDEOTAPED DEPOSITION OF		
14	DEWAYNE ANTHONY LEE JOHNSON		
15	Vallejo, California		
16	Thursday, December 7, 2017		
17	Volume I		
18			
19			
20			
21	Reported by: SUZANNE F. GUDELJ		
22	CSR No. 5111		
23	Job No. 2770165		
24			
25	PAGES 1 - 458		
	To a second seco		
	Page 1		

1	SUPERIOR COURT OF THE STATE OF CALIFORNIA		
2	FOR THE COUNTY OF SAN FRANCISCO		
3			
4			
5	DEWAYNE JOHNSON, )		
	)		
6	Plaintiff, )		
	)		
7	vs. ) Case No.		
	) CGC-16-550128		
8	MONSANTO COMPANY, )		
	)		
9	Defendant. )		
	)		
10			
11			
12			
13			
14			
15	Videotaped Deposition of DEWAYNE ANTHONY		
16	LEE JOHNSON, Volume I, taken on behalf of		
17	Defendant Monsanto, at Courtyard by Marriott,		
18	1000 Fairgrounds Drive, Vallejo, California,		
19	beginning at 9:24 a.m. and ending at 6:48 p.m.,		
20	on Thursday, December 7, 2017, before SUZANNE		
21	F. GUDELJ, Certified Shorthand Reporter No.		
22	5111.		
23			
24			
25			
	Page 2		

```
1
    APPEARANCES:
2
    For Plaintiff:
3
4
      THE MILLER FIRM, LLC
            TIMOTHY LITZENBURG, ESQ.
5
      BY:
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
            SANDRA A. EDWARDS, ESQ.
      B Y :
22
      235 Montgomery Street, 17th Floor
2.3
      San Francisco, California 94104
24
      (415) 954 - 4400
      sedwards@fbm.com
25
                                             Page 3
```

```
APPEARANCES (Continued):
 1
 2
 3
    Also Present:
      KEVIN FOUR: Veritext Video Operator
 4
 5
 6
 7
 8
 9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
                                                 Page 4
```

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
	Daga 174

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	
		Page 175	