

# Mastering The Deposition Process

June 7, 2022

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## The Process



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# The Couplet is King



*3. Martin Curry - Confidential - December 9, 2020*

1 other potential agreement from Mark's? anyone before  
 2 just talk Mark's right?  
 3 A. I don't know we talk or anything. And the  
 4 reason for that - the reason I don't know is because  
 5 I'm not a legal expert in - you know, unless we were at  
 6 Mark's, we had a meeting to talk about the deal, I think  
 7 I have really good to know the Mark's family network  
 8 there, we only met at the airport, but after we at  
 9 talked, we had a meeting, we had a meeting at the hotel  
 10 at Mark's house, we had a meeting, we had a meeting  
 11 at the airport, we had a meeting, we had a meeting  
 12 at the airport, we had a meeting, we had a meeting  
 13 absolutely would have been better by the  
 14 way - is, probably - I just don't know  
 15 one way or another.  
 16 Q. Do you know whether you kind of personally  
 17 talk to with you when you talk to start the act five  
 18 so that you would have it in person, you would have  
 19 agreement?  
 20 A. I don't know.  
 21 Q. (to Mr. Johnson) Okay. So if you look at  
 22 this employment agreement, you understand that it was  
 23 made on August 11, 2020?  
 24 A. I think so.

1 A. Yes, sorry, what was the question?  
 2 MR. SUMMERS: I'm  
 3 Would you please repeat the question that you  
 4 asked? I'm sorry, I'm not sure I heard the question.  
 5 MR. SUMMERS: Okay, then.  
 6 A. You have a fee arrangement that includes an  
 7 hourly fee component in respect of a contingency fee  
 8 arrangement?  
 9 Q. (to Mr. Johnson) Okay.  
 10 A. Yes, that's correct.  
 11 Q. And you have any opinion on whether the  
 12 fee agreement that we're looking at here is in fact of  
 13 an, Exhibit 5, is a reasonable fee agreement?  
 14 A. Yes.  
 15 Q. Okay. And what is that opinion?  
 16 A. It's my opinion that the fee agreement is  
 17 this case, it's a very complex procedural history, so  
 18 I'm not sure that I would be able to do  
 19 that's my opinion.

1 Q. Okay. So let's look at the top of  
 2 that page, you see that it's the proposed content of an  
 3 copy of the agreement in the State of Illinois?  
 4 A. Yes.  
 5 Q. And in the first paragraph, that  
 6 says that you - that contract is - will work as a  
 7 flow down, is that correct?  
 8 A. Yes.  
 9 Q. And then you see the title says that Mark  
 10 will receive 8 percent from the total proceeds from  
 11 the acquisition of the business?  
 12 A. Yes.  
 13 Q. Okay. And you understand that this is  
 14 an agreement called a hybrid fee agreement with both  
 15 an hourly fee component and some contingent component?  
 16 A. Yes.  
 17 Q. And then you see that it says that it  
 18 is a fee agreement that is subject to the terms of the  
 19 agreement that is attached to the agreement?  
 20 A. Yes.  
 21 Q. And then you see that it says that it is a  
 22 fee agreement that is subject to the terms of the  
 23 agreement that is attached to the agreement?  
 24 A. Yes.

1 Q. Okay. And what was the discussion since you  
 2 arrived in town, you know, what was going on?  
 3 A. I think that's what you're asking me to do.  
 4 A. I think that's what you're asking me to do.  
 5 A. I think that's what you're asking me to do.  
 6 A. I think that's what you're asking me to do.  
 7 A. I think that's what you're asking me to do.  
 8 A. I think that's what you're asking me to do.  
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 19 A. I think that's what you're asking me to do.  
 20 A. I think that's what you're asking me to do.

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*3. Arlin Curry - Confidential - December 9, 2020*

1 with their services first and how they would run things  
 2 differently.  
 3 And, like I mentioned earlier, my  
 4 conversation with Arlin that summer - was one of many in  
 5 the early stages.  
 6 I got to know him in the sense that we  
 7 were - you know, we had other people were looking  
 8 at what we thought were certain objectives of the way  
 9 that Michael Smith was run, and we thought we had  
 10 better solutions.  
 11 But in terms of, you know, this, this, you  
 12 know, this is something we're going to do, this, you  
 13 know, this is something we're going to do, this, you  
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