

IN THE COURT OF COMMON PLEAS
OF LUCAS COUNTY, OHIO

E. ELAINE ROEBKE, :
etc., :
 :
Plaintiff, :
 :
v. : Case No.: CI22-2926
 : Hon. Lindsay D. Navarre
ADCO FIREARMS, LLC, :
et al., :
 :
Defendants. :
 - - -

DEPOSITION OF E. ELAINE ROEBKE

Date taken: Thursday, January 19, 2023
Time: 1:06 p.m.
Location: Rohrbachers, Cron, Manahan,
Trimble & Zimmerman
405 Madison Avenue, Eighth Floor
Toledo, Ohio 43604-1243
Court Reporter: Mary K. Tammarine, RPR

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1 APPEARANCES:

2 On behalf of the Plaintiff:

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9 On behalf of Defendant Steven E. Thompson:

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12 Also Present: Steven E. Thompson

13

14 MR. BAHRET: - - - All the usual
15 stipulations?

16 MS. WEAVER: Yes.

17 E. ELAINE ROEBKE,
18 being first duly sworn, as hereinafter certified,
19 testified and said as follows:

20 EXAMINATION

21 BY MR. BAHRET:

22 Q Could you state your full name for us, ma'am.

23 A Evelyn, E-v-e-l-y-n, Elaine, E-l-a-i-n-e, Roebke,
24 R-o-e-b-k-e.

25 Q Do you actually go by Elaine?

1 A Yes, I do.
2 Q Okay.
3 A Yes, I do.
4 Q My name is Bob Bahret. I'm an attorney, and I
5 represent ADCO Firearms. I'm going to ask you some
6 questions today.
7 A Okay.
8 Q As we go through this, if you don't hear me or you
9 don't understand, I want you to tell me that.
10 Okay?
11 A Sure.
12 Q Now, don't guess, just say, Bob, I didn't follow
13 that question, and it's my job to clear it up.
14 A Okay.
15 Q Have you ever done a deposition before?
16 A No.
17 Q Have you reviewed anything to get ready to
18 testify?
19 A I made some notes, and I had a couple calls. Is
20 that --
21 Q Don't go into that.
22 A -- fair to say?
23 Q No.
24 A No.
25 Q We're not allowed to know what you talked to your

1 attorneys about.

2 A Okay.

3 Q I just want to know what you looked at.

4 A Not much of anything. I made -- I made a couple
5 notes here I refined a little bit last night,
6 but --

7 Q What sort of notes are you talking about?

8 A Like Allison's graduation dates from -- because I
9 had forgotten, you know, she kind of was in school
10 a long, long time.

11 We didn't have her medical records, so I
12 couldn't review anything like that. Allison had
13 signed over so that she had privileged information
14 there. She did not want to share it with us.

15 Q All right.

16 A So we knew nothing as the time was going --

17 Q All right. Let's --

18 A -- along with her.

19 MS. WEAVER: Wait for a question.

20 Q Let's get a little background. How old are you,
21 ma'am?

22 A 73.

23 Q Where were you born?

24 A Richmond, Indiana.

25 Q How far did you go in school?

1 A I have a Master's degree from University of
2 Toledo.

3 Q What is that Master's in?

4 A Business education.

5 Q When did you get it?

6 A I don't know exactly. Maybe 1984 or -- Allison
7 was already born, and she was born in '82, I
8 believe.

9 Q Okay.

10 A So it was after she was born about two -- she was
11 2, 2 & 1/2 years old.

12 Q Where did you get your undergraduate degree?

13 A Indiana University.

14 Q What was that in?

15 A Business education.

16 Q Are you married?

17 A Yes.

18 Q What's your husband's name?

19 A Paul.

20 Q When did you and Paul marry?

21 A 1977.

22 Q Is that a first marriage for each of you?

23 A Yes.

24 Q How many children do you have?

25 A I had two, I have one now.

1 Q Was Allison the oldest or --

2 A Yes, she was.

3 Q -- the youngest?

4 A She was the oldest by five years, ten months.

5 Q What's your other child's name?

6 A Eric, E-r-i-c.

7 Q Obviously Roebke?

8 A Yes.

9 Q Where does Eric live?

10 A Well, right now Eric lives at 8645 Stone Post
11 Road.

12 Q Is that a new address?

13 A Yes. He --

14 MS. WEAVER: That's it.

15 A -- is living in our basement -- finished basement.

16 Q How long has he been living with you?

17 A Two years.

18 Q Was he living there when Allison died?

19 A No, no.

20 Q No. How long had Allison been living with you?

21 A 37 years.

22 Q Her entire life?

23 A Right before this occurred with Allison, she did
24 have some subsidized housing, and she stayed there
25 about a month. She was always back home. So she

1 never went out and got an apartment.

2 Q This subsidized housing that you referenced,
3 approximately when was it that she lived there?

4 A I think it was 2018.

5 Q Was that in the Northwest Ohio area?

6 A It's near Maumee, I believe.

7 Q So maximum she didn't live with you was about a
8 month?

9 A Pretty much except when she was in Spain, she
10 lived there a month, and she lived in Santiago,
11 Chile for about a month.

12 Q When were those?

13 A That was to study abroad. Let me see -- let's
14 see, that would be between 2005 and 2008 she took
15 those two study abroad, and in Santiago, Chile, she
16 came home early.

17 Q So other than the possibility of three months out
18 of her life, the rest of the time she was always
19 under your roof?

20 A She was always under our roof.

21 Q Did Allison ever marry?

22 A No.

23 Q Did she have any children?

24 A No.

25 Q What was her highest level of education?

1 A Oh, my goodness. She had three college degrees.
2 So the Bachelor of Science of -- it's in here,
3 let's see. You don't want to know what -- or are
4 you going to ask me what it was in?

5 So she had a Bachelor's in Spanish, she had a
6 Master's in criminal justice, all from University
7 of Toledo, that was with honors, and she had some
8 kind of Associate of Arts in science from Owens
9 College -- Community College, Summa Cum Laude. She
10 had Magna, and, I guess, the Master's in criminal
11 justice was all probably As and then Magna Cum
12 Laude -- Summa Cum Laude at Owens.

13 Q So she was a very bright girl?

14 A Extreme -- she was brilliant. She was a scholar.
15 She wanted to become a physician's assistant.
16 That's why she took that third degree to get all
17 her sciences.

18 Q Did she ever start a course of studies to be a PA?

19 A Unfortunately not. UT lost their accreditation.
20 And she had applied at different places, Dayton,
21 Findlay. She went to two interviews there, and
22 then she was about to get an interview in -- oh,
23 it's in the southeastern part of the state near --
24 near West Virginia right there, but then she got
25 too sick.

1 Q When you say she got too sick, what are you
2 talking about?

3 A She -- I believe she knew that she had MS. She
4 was too fatigued. She was too fatigued. In fact,
5 on that last degree, the Owens, she took an
6 incomplete in her -- in her last year on one course
7 because she was just too fatigued to go to class.

8 And then finally, she worked on her incomplete
9 after that group had graduated, and then she
10 graduated at Owens, and --

11 Q When you're referencing getting too sick, you mean
12 physically sick?

13 A Physically sick, very fatigued.

14 Q Did she have issues other than MS?

15 A Oh, yes. Yes, she did.

16 Q What other --

17 A She had -- her mental -- her mental health.

18 Q Well, first let's start with the physical. Did
19 she have other physical problems besides MS?

20 A She had carcinoma in situ, and they talked about a
21 hysterectomy, but then Dr. Phibbs became her
22 doctor. He's a brilliant man, not that they all
23 aren't, but he prevented her from having a total
24 hysterectomy. She had part of her tissue or
25 whatever removed that was cancerous.

1 Q Okay.

2 A So on top of everything else, then she had cancer.
3 In situ --

4 Q When was the cancer diagnosis? What year was
5 that?

6 A The medical records would have it. Let's see, I
7 don't --

8 Q I think that's true. I'm just asking you.

9 A Yeah.

10 MS. WEAVER: If you don't know, you
11 don't know.

12 THE WITNESS: Okay.

13 A I don't know the exact date.

14 Q What's the approximate time frame?

15 A Twenty -- let's see, she went to Spain in 2017.
16 It was probably in 2016 or so.

17 Q How about the MS, when did that diagnosis come?

18 A The diagnosis -- let's see, she was probably about
19 34 years old when she finally got a definitive
20 diagnosis in Cleveland Clinic that her problem was
21 multiple sclerosis. And the doctor said that she
22 probably had had it as far back as 2001.

23 Q Okay.

24 A But she was living with this all this time and
25 coping until it got, I guess, really definitively

1 diagnosed, and she really started getting fatigued
2 at age 44.

3 Q I should have asked you, are you working at
4 present?

5 A We're retired now. I was my husband's office
6 manager for -- I don't know, a good part of my
7 working life. He's a periodontist, and he didn't
8 want me going around -- especially when we started
9 a family -- disturbing the household trying to
10 run -- run to my job.

11 So I was always working on the -- for the
12 benefit of the office. I was doing calculations
13 before the computer came around on taxes withheld
14 for the employees, et cetera.

15 And when -- when the kids got older, I went in
16 and became the office manager in -- in the office,
17 and I did dental insurance too.

18 Q Approximately when did you and your husband
19 retire?

20 A Pretty much this year, 2023.

21 Q You were still working at the time of Allison's
22 passing?

23 A Yes, we were. Yes, we were. It threw everybody.
24 Yes, we were.

25 Q Were you working full time?

1 A No, no. We hadn't been working full time -- well,
2 COVID, for one thing, slowed everybody down in 2020
3 because everybody had to take their masks off for
4 dental. And so we kind of -- my husband's physical
5 and mental health led him to ease down on the
6 practice.

7 He was -- I don't know if this is appropriate
8 to say -- hospitalized, he'll probably tell you,
9 for 39 days after Allison passed away and had 11
10 electroconvulsive therapies to try to get where he
11 could just cope. 39 days three different times.
12 And now the doctor tells him it's major depression.
13 He just saw him yesterday. That's what his
14 diagnosis was.

15 Q Was Allison working at the time of her passing?

16 A No, no. Allison wasn't working at that time, no.

17 Q Had she ever worked?

18 A Yes, she had quite a few jobs over the years.

19 Gosh, she worked between when she was in -- going
20 for her Bachelor's, I think she worked part time at
21 Sofo's, and she worked for House of Meats, she
22 worked at Anderson's House of Meats, Sofo's. Those
23 were jobs she had during college.

24 She worked security. After she got her
25 Master's in criminal justice, she worked security

1 at the casino and also Anderson's over here on
2 Talmadge. A lot of those Dysons rolled out.
3 The customers liked to roll those out.

4 Q When she worked security, did she carry a gun?

5 A No.

6 Q To your knowledge had she ever owned a gun?

7 A No.

8 Q Did anybody in the family own a gun?

9 A No, absolutely not.

10 Q Have you ever talked to anybody that works at ADCO
11 Firearms?

12 A I haven't. I haven't been in there, no.

13 Q How about anywhere else?

14 A That worked there?

15 Q Yes.

16 A No, I don't know anybody.

17 Q Do you know if your husband has?

18 A Oh, no. No way.

19 Q Why do you say it like that?

20 A Well, he opposes citizens having firearms, and he
21 would have no reason to go into ADCO Firearms, and
22 we haven't heard of anybody that worked there.

23 Q Okay. Do you know the gentleman at the end of the
24 table?

25 A No, he's been very quiet.

1 Q He's the owner of ADCO Firearms.

2 A Oh, okay. Okay.

3 Q You've never seen him before?

4 A I have never seen him before.

5 Q Okay. To your knowledge had Allison ever
6 expressed any thoughts about suicide?

7 A I didn't think she was -- I didn't think she would
8 really -- that she was feeling it, truthfully. But
9 a couple times after she was diagnosed with MS, she
10 had said something like you're watching your
11 child -- your child is dying in front of your
12 eyes -- in front of your eyes.

13 Q That doesn't sound like a suicidal thought to me.

14 A Okay.

15 Q Does it to you?

16 A No. This was after she got MS, and she was very,
17 very physically --

18 Q She was depressed and figured it was a fatal
19 disease, even if it's not?

20 A Suicide?

21 Q No.

22 A MS?

23 Q MS.

24 A Yes, I believe the way she felt. She felt -- now,
25 they told us in Cleveland, I was allowed --

1 MS. WEAVER: Let him ask a question.

2 THE WITNESS: Okay.

3 Q So I want to make sure I have it right in my
4 notes. Allison to your knowledge never said
5 anything in your presence or anything that you
6 learned about suggesting that she was considering
7 suicide?

8 A She never said the word suicide, I don't believe.

9 Q Or saying a phrase like I'm going to do myself in,
10 anything to indicate she was going to harm herself,
11 did you ever hear any such thing?

12 A She did say I -- I just want to die. She said
13 that when she had MS. I just -- I feel like I just
14 want to die.

15 And she was -- had so much to give to the
16 world, but we had talks with her. She -- she was
17 close with us, you know. There's pretty much
18 nothing that we didn't know about Allison.

19 Q Did you ever believe that she was suicidal?

20 A I never thought it would ever materialize because
21 I thought her intellect would kick in, and she
22 would realize that she has a loving family and many
23 opportunities and her looks alone would --

24 Q Is that a picture of her?

25 A Yes, this is a picture, was taken in Paris under

1 the Eiffel Tower. It was a picture we used on her
2 memo. She's -- I can't remember how old she is
3 there. She's not 37.

4 Q Does it say 2010?

5 MS. WEAVER: It does.

6 A Yes, it does.

7 Q All right.

8 A June 5th, Paris, and June 5th, 2010.

9 Q That wasn't one of the trips you told me about.
10 Was there a vacation to Paris or what took her
11 there?

12 A Allison and I went to the Vatican, and we, of
13 course, visited, had an audience with the Pope --
14 well, not singular, you know, it was --

15 Q Right.

16 A -- St. Peter's Square. We went to Portugal, to
17 Fatima, which is a holy site, religious site. We
18 went to Lourdes, France, where St. Bernadette's
19 home is, and at the Grotto there. And then the
20 train took us down to Paris where we visited there
21 and, of course, Italy, Portugal, France.

22 Q Sounds like quite a trip.

23 A It was. Well, about 10 to 14 days.

24 MR. BAHRET: Oh, this is my call.

25 MS. WEAVER: Let's take a quick

1 break.

2 THE WITNESS: Okay. Sure.

3 (Recess taken.)

4 Q When you mentioned the Vatican, it reminded me,
5 the first time I went there, I was denied entrance
6 because I was wearing shorts.

7 A Yes, that's correct. They told us that.

8 Q I didn't know that until I got there.

9 A Oh.

10 Q All right. We were talking a little about your
11 daughter. Now, had she ever been to your knowledge
12 under psychiatric treatment?

13 A Not psychiatric, not psychiatric, until, you know,
14 the MS, I believe.

15 Q Well, ever.

16 A Yeah.

17 Q Was she ever under psychiatric care?

18 A When she was 37, when she passed, she had been
19 seeing Dr. Singh for six years.

20 Q What type of doctor is Dr. Singh?

21 A He's a psychiatrist.

22 Q Is that S-i-n-g-h?

23 A Yes, Tanvir, T-a-n-v-i-r, Singh.

24 Q Were you aware of that treatment?

25 A Yes.

1 Q Were you ever with her during any sessions?

2 A She wouldn't allow me.

3 Q She wouldn't or he wouldn't?

4 A She wouldn't. Although one time I went in with
5 her.

6 Q Okay. What was the nature of that treatment?
7 What was her mental health concern, if any?

8 A That's really a good question. I guess, she was
9 being evaluated for possibly being bipolar, which
10 she was not, she got a prescription from him for
11 Adderall to help her focus in her studies.

12 Q Were you aware of any other potential health
13 concerns Dr. Singh was addressing?

14 A She kept it all private.

15 Q Okay.

16 A Yeah, where we couldn't -- we couldn't call him,
17 we couldn't visit. It was all -- Allison was an
18 adult -- was an adult, so she wanted to keep all
19 that stuff private.

20 Q Have you and your husband spoken to Dr. Singh
21 about they nature of his treatment?

22 A I called him after Allison passed, but we did --
23 one time I did bust in. I waited in his waiting
24 room until he didn't have any patients, then I went
25 in, and we were just talking generally about her

1 medicines.

2 Q Did he tell you either before -- by the way, is
3 Singh a male?

4 A Yes, he's a male.

5 Q Did Dr. Singh ever tell you that before she passed
6 or after she passed that she had ever expressed any
7 suicidal thoughts?

8 A We didn't talk about suicide.

9 Q Okay.

10 A No.

11 Q But did he ever indicate to you that she expressed
12 any suicidal thoughts? I'm not asking if you
13 talked about the fact that she finally committed
14 suicide.

15 A No, he did not express that to me.

16 Q Did he seem surprised that she had committed
17 suicide?

18 MS. WEAVER: Objection.

19 THE WITNESS: What did you say?

20 MS. WEAVER: I said objection, but
21 you can go ahead and answer. If you hear
22 me object, just go ahead and answer.

23 Q Unless she tells you otherwise.

24 MS. WEAVER: Yes.

25 A And the question was after she --

1 Q Did Dr. Singh seem surprised that Allison had
2 taken her own life?

3 A When I called him, yes. It took three days to get
4 ahold of him because, you know, he would -- I
5 wasn't supposed to be talking to him. Yes.

6 Q So your take on it was he seemed surprised?

7 A He -- he was surprised because she had been in his
8 care. And then, of course, with coronavirus, she
9 couldn't see him.

10 Q So how did they do them, by Zoom or something?

11 A They did it on the phone. She'd have her
12 appointment on the phone.

13 Q That wasn't for the full six years --

14 A No, no.

15 Q -- it was just since --

16 A Just during coronavirus.

17 Q So after about March of 2020, her meetings would
18 have been by phone instead of in person?

19 A No, she -- in the spring of 2020 it was still by
20 phone.

21 Q That's what I just said. March is in the spring,
22 spring of 2020. That's when the nation shut down.

23 A She went by -- she went by phone.

24 Q But before that they were in person?

25 A Yes, they were.

1 Q Did Allison, to your knowledge, have any criminal
2 record?

3 A I don't remember if in Michigan, I just -- I just
4 can't recollect exactly. She -- can I elaborate a
5 little bit or no?

6 Q What are you referring to? What happened in
7 Michigan that might be a criminal record?

8 A Okay.

9 MS. WEAVER: Objection.

10 You may answer.

11 THE WITNESS: I may answer. Okay.

12 A Well, she and this fellow were out in a boat. He
13 was going through a divorce or she thought he was
14 divorced. And he said something to her, and she
15 socked him. She socked him in the face or
16 whatever.

17 And we have a good friend who's an attorney in
18 Michigan. And we went to a hearing or whatever,
19 and my husband would remember more of what -- I
20 don't remember if it was dismissed or her in a
21 situation like that, you know, responding to a
22 smart remark by a fellow, I just can't remember the
23 details.

24 Q Michigan's really big into diversion programs on
25 the first offense. So what you do it tender a

1 plea, which they do not accept, and if you don't
2 have another problem within a year, it gets thrown
3 out of court.

4 A Yeah, it must have been because --

5 Q Other than that, did she have any criminal history
6 that you know of?

7 MS. WEAVER: Objection, same
8 objection.

9 You can answer.

10 A I'm trying to think. I don't think she went to
11 court. I just -- she -- I think during the time
12 when she must have been experiencing these symptoms
13 with MS, her brother was on the phone, and she
14 interrupted him in the sun room, and he didn't want
15 to talk to her because he was on the phone, and he,
16 I think, threw part of a taco at him. So I think
17 it was my son who had this. It wasn't Allison.

18 MS. WEAVER: He's not asking about --
19 he's just asking about Allison.

20 A Then from everything that's gone on, I don't think
21 she did.

22 Q Okay.

23 A I don't think she was ever --

24 Q Okay. She was a U.S. citizen, correct?

25 A Yes, she was.

1 Q Did she ever serve in the military?

2 A No.

3 Q So obviously she was never dishonorably
4 discharged?

5 A No.

6 Q I think we've already established this. She had
7 no felony record?

8 A No.

9 Q To your knowledge had she ever been involuntarily
10 committed to a mental institution?

11 A Involuntary? No, not an institution.

12 Q Okay.

13 A But like a -- well, I don't know if I should say
14 any more.

15 Q Well, if it's in response to the question, we're
16 here to get information on what you know or don't
17 know.

18 A On my birthday, it was either 2020 or 2019, she
19 got in the car and had an accident and from then
20 her head -- she was hit. The car was totaled. But
21 she went to Blanchard Valley. It's all in the
22 medical records.

23 Q Yes, I saw in the medical records where she
24 crashed her car in a snowstorm on Interstate 75.

25 A Yes.

1 Q Then apparently she made a joke about it was a
2 suicide attempt.

3 A Now that I don't -- I never heard that.

4 MS. WEAVER: I don't think there was
5 a question.

6 Is there a question there?

7 Q I'm just trying to refresh your recollection if
8 that's the case. Are we talking about the same
9 incident, the crash in a snowstorm?

10 A Yes, and she went to Blanchard Valley in Findlay,
11 yes, and then from there, they put her in the
12 psychiatric unit, I believe --

13 Q Okay.

14 A -- for ten days.

15 Q But that was not involuntarily, if that's what
16 happened, correct?

17 A That was -- that was involuntary, I believe.
18 Wouldn't it be? If she's in the accident, they
19 bring her in and her -- she's got -- she just cut
20 her -- she walked out of that accident. She just
21 had blood on her hood because we got down there,
22 and then they kept her. They kept her.

23 Q Did they keep her against her will?

24 A I don't think so.

25 Q Okay.

1 A I think she needed to talk to someone.

2 Q Okay. No court ever adjudicated her as having any
3 mental problems, did they?

4 A No court, no.

5 Q All right.

6 A No, it never went to that.

7 Q She was never accused of domestic violence, was
8 she?

9 MS. WEAVER: Objection.

10 You can answer.

11 A I don't think she was. She didn't -- she never
12 had a felony, I don't believe.

13 Kind of funny, I just don't remember. So much
14 has gone on.

15 Q She was never a fugitive from justice, was she?

16 A Oh, no.

17 Q Do you have any information that if she wanted to
18 purchase a firearm that she would have been
19 prohibited from doing so?

20 A She thought she was.

21 Q Okay.

22 A Yeah, because --

23 Q Do you know if her thought was accurate?

24 A I think she was correct because of her mental
25 stays in St. Charles, and she thought from her

1 Master's in criminal justice thinking that with her
2 mental state, she could not purchase a firearm on
3 her own.

4 Q How do you know she thought that?

5 A Because she said something to my husband about
6 being -- I was red flagged or something. Something
7 kind of -- she thought she'd been red flagged.

8 Q Okay. Well, if she thought it, it doesn't
9 necessarily mean it's true. I'm just trying to
10 find out what you know. Did she ever talk to you
11 about a desire to purchase a firearm?

12 A No.

13 Q To your knowledge did she ever talk to your
14 husband about her desire to purchase a firearm?

15 A No.

16 Q So how did purchasing a firearm or being
17 prohibited from doing so ever come up, if it did
18 come up?

19 A That's a good question. Her cousin in Michigan
20 shot targets. And apparently she told Jerry Zohn
21 that -- now, I was not there, I don't know, I can't
22 ask Allison now -- that she wouldn't be able to
23 purchase one, and that's how she asked Jerry if he
24 could purchase one for her.

25 Q Okay. But, again, that begs the question, is her

1 thought she couldn't purchase one herself valid?
2 I'm trying to find out if you have any information
3 that that was an accurate assessment on her own
4 part?

5 MS. WEAVER: Object to form.

6 You may answer.

7 A I think she was hospitalized three times for
8 mental. It's all in her medical records.

9 Q Well, we talked about one at Blanchard Valley.
10 When are the other two?

11 A Blanchard Valley?

12 Q When she crashed her car in the snowstorm.

13 A Okay.

14 Q Where are the other two?

15 A St. Charles. One of them -- Dr. Singh pink
16 slipped her once, and then the Sylvania Township
17 pink slipped her once.

18 Q I don't think I know anything about either of
19 those. So tell me, first of all, what does it mean
20 to be pink slipped?

21 A Pink slipped means if the policeman comes out and
22 the victim -- the subject is either going to harm
23 someone else or they're a danger of harming
24 themselves -- themselves, the township police has a
25 right to take them in by a pink slip, take them out

1 because I'm sure you know, the right that we have,
2 they can't take rights away from people who have
3 mental disturbances. So they've got a pink slip
4 that they can fill out, and they give one time,
5 they talked with my husband, and they took her in.

6 Q That was Sylvania Township Police?

7 A Yes.

8 Q Where did they take her?

9 A I think they took her to Flower.

10 Q When was that?

11 A Let's see, probably 2019, I would -- I would
12 think. That was when her -- more drama started,
13 and also the first half of 2020. So I don't have
14 the definite date unless I look through the medical
15 records.

16 Q But that was one occasion in either 2019 or early
17 2020?

18 A Yes, yes.

19 Q That was the Sylvania Township Police Department?

20 A Yes, it was.

21 Q How long did she stay in the hospital?

22 A I think seven -- seven to ten days -- or five to
23 seven. A whole one week -- business week, well,
24 and then the weekend.

25 Q When did Dr. Singh pink slip her, as you put it,

1 and send her to St. Charles?

2 A That was -- I think it was in January of 2020.

3 Q How long did she stay in at that time?

4 A Four or five days, I believe.

5 Q Do you know the specifics as to why he supposedly
6 pink slipped her and sent her to St. Charles?

7 A Allison had told her -- he was -- she was trying
8 to work with Dr. Singh on -- she was hearing
9 voices.

10 Q Okay.

11 A And before that one -- she did discuss this with
12 Dr. Singh because both my husband and I went in,
13 Allison thought she had lice or bugs on her skin.
14 It was something -- one of our good friends retired
15 from MCO, he gave her a microscope. This went on
16 for about a year where she thought -- they took --
17 Dr. Singh took her off of Adderall, and in place of
18 it for about one year Allison thought she would see
19 bugs on her skin.

20 Q But from your basic knowledge as you know it, she
21 never was hospitalized because of expressing
22 suicidal ideation?

23 MS. WEAVER: Object to form.

24 You may answer.

25 A No, she never mentioned suicide.

1 Q You met Jerry Zohn, didn't you?

2 A I'm sorry?

3 Q Did you ever meet Jerry Zohn?

4 A One time on the driveway. I insisted that I meet
5 him.

6 Q Why did you insist on meeting him?

7 A Because any fellow or anybody that Allison went
8 out with, I wanted to have answers. I wanted to
9 have names. These kids today are -- you know, they
10 go out with people, there's no names, she's living
11 at home, and because she had MS and these mental
12 disturbances, and so I wanted to get his name and
13 so forth. And he spelled his last name kind of in
14 passing, I didn't want to seem too intrusive, but
15 she's going out with a fellow, and he's 70,
16 71 years old, and we knew of Jerry. She talked
17 openly about her --

18 Q Now, when you say she went out with him, was it
19 your impression they were dating?

20 A No --

21 MS. WEAVER: Objection.

22 A -- not really.

23 Q Okay. What was your impression?

24 A That they were friends.

25 Q Okay.

1 A That they were friends.

2 Q You never were of the opinion it was a romantic
3 relationship?

4 A No.

5 Q So what did you talk to Jerry about?

6 A He had a MINI Cooper, and I didn't talk to him
7 about cars, but I wanted to meet him. I said thank
8 you for being a friend to Allison, she's -- she's
9 got a lot of problems, and I appreciate you being a
10 friend to her.

11 Q That was the only time you ever spoke with him?

12 A That's the only time I ever spoke with him.

13 Q Do you recall him saying anything to you?

14 A Well, he seemed jovial. He seemed, well, you
15 know, that's fine or okay or something like that.

16 Q Tell me about you. With the passing of Allison,
17 have you had any sort of counseling yourself?

18 A Yes, I have. I went in to grief counseling. It
19 was quite a while after though. We couldn't find
20 Dr. Robie. We -- she passed in July. We didn't
21 see Dr. Robie, I don't think, until 2021.

22 And then we had joint sessions, my husband and
23 I, and I tend to talk more. So eventually -- oh,
24 four or five sessions maybe, I'm -- I'm not saying
25 I'm a saint or anything, I'm quite religious, and I

1 lectored at my church for 20 years, and my faith
2 held me up, and I didn't feel like I was
3 contributing anything to the joint session, I was a
4 hindrance because Paul couldn't get out his
5 dialogue because I was interjecting too much.

6 So I voluntarily stepped out, and I said, you
7 know, I -- my pain is being dealt with through my
8 divine intervention or my prayers and my beliefs,
9 my religious beliefs.

10 And so Paul is in counseling alone with
11 Dr. Robie.

12 Q Still now?

13 A Still now. He had an appointment yesterday, I
14 believe.

15 Q I'm sure it's in his file somewhere, but how do
16 you spell Dr. Robie's last name?

17 A R-o-b-i-e, Karen.

18 Q These sessions, are they both individual and
19 group?

20 A No, just one hour with her only.

21 Q But there was a group counseling at some point?

22 A Just Paul, I and the counselor.

23 Q Oh, okay.

24 A Yeah, that's all. Yeah.

25 Q You mentioned your faith a few times. What church

1 do you go to?

2 A Well, this is interesting too. I go to -- for
3 46 years --

4 Q I like to ask interesting questions.

5 A You do.

6 St. Joe's Catholic Church in Sylvania for
7 46 years, although I was baptized Greek Orthodox.
8 There's a long story about all of that, but --

9 MS. WEAVER: We don't need to know
10 that.

11 THE WITNESS: No, no, no. That's too
12 much for anybody.

13 Q Okay. It sounded like you don't go to St. Joe's
14 now though?

15 A Oh, yes.

16 Q Oh, you do?

17 A Every Sunday.

18 Q Okay.

19 A Oh, yes. St. -- the Catholic faith is the faith
20 that I have embraced.

21 Q Okay. Your husband attends too or no?

22 A Not as much, I can say. He started having back
23 problems, and he has stayed away, and, of course --
24 well, with what's happened here too he --

25 Q Did he regularly attend the church --

1 A Uh-huh.

2 Q -- with you?

3 A He used to from what I gathered. He even went to
4 mass in dental school, but we all attended as a
5 family at one time.

6 Q So you are Christian?

7 A Yes.

8 Q And your husband is also?

9 A Yes.

10 Q Allison was?

11 A Yes, she was.

12 Q Your son, I forget his name, was it Eric?

13 A Eric. Yes, he's Christian too.

14 Q So that's one way you cope with your grief?

15 A Yes, I do. It will challenge your faith, that's
16 for sure.

17 Q Yes, I'm sure it would.

18 Were you home when Allison took her life?

19 A Yes, yes.

20 Q I forget, it's in there somewhere. What time of
21 day or night did this happen?

22 A Okay. This, to my estimate -- she wasn't supposed
23 to be home at that time. I'm giving you a little
24 background.

25 MS. WEAVER: Just, what time?

1 THE WITNESS: What time it happened?

2 Q Yes, if you know.

3 A I think it was around 12:30 a.m.

4 Q So right after midnight?

5 A Yeah.

6 Q Were you awake or asleep?

7 A Well, we were awake, and it was 107 degrees heat
8 index that day, which exacerbates MS people, but we
9 were awake, and the fan was on in our room. And
10 she came in very quietly. We didn't hear her come
11 in.

12 But right around 12:30 I heard something that
13 sounded like a pop, and it was just one, and that
14 sounded strange, but we didn't expect Allison back
15 then. And so we just didn't -- we didn't check on
16 it at that time.

17 Q So you didn't even think she was in the house?

18 A No, we didn't think she was home.

19 Q So that's why you didn't go check?

20 A We didn't go check.

21 Q It wasn't a loud pop? It wasn't obviously a gun?

22 A Well, you know, the guns -- a lot of the guns you
23 see on TV are really, really loud. This was kind
24 of like a pop. It was --

25 Q Would you know a gunshot if you heard it?

1 A Yes. Yes, I would. I can elaborate on that too,
2 but maybe it's just too much.

3 Q Have you ever shot a gun?

4 A Yes.

5 Q Have you had any other sort of counseling or
6 treatment other than seeing Dr. Robie on half a
7 dozen occasions or so?

8 A Myself?

9 Q Yes.

10 A I've seen a psychiatrist.

11 Q Is Robie a psychiatrist?

12 A No, she a Ph.D. She's a psychologist.

13 Q What psychiatrist have you seen?

14 A It was way back, Dr. King, about 20 years ago.

15 Q Okay. I'm referring to because of the loss of
16 your daughter.

17 A No, no, well, wait a minute. We saw another
18 psychologist, no psychiatrist.

19 Q What other psychologist did you see?

20 A She's on Monroe Street. I don't have her name.
21 We saw her a couple sessions, but she was kind of
22 near retiring also. My husband might have that
23 name because he remembers things more than I seem
24 to.

25 Q The psychiatrist on Monroe Street that you saw,

1 was that before or after Robie?

2 A Before Dr. Robie, before.

3 Q The reason you switched wasn't any dissatisfaction
4 with whoever this person was, it was they were
5 telling you they were close to retirement?

6 MS. WEAVER: Objection.

7 A She didn't really tell me that.

8 THE WITNESS: Can I --

9 MS. WEAVER: Yes.

10 A But then after a session, Paul went back into the
11 hospital with his psychologist's blessing. He kind
12 of interrupted our care because he went back to
13 Flower Hospital because of his mental state.

14 Q You're talking about Paul?

15 A Yes, yes.

16 Q Have you had any kind of medical care or treatment
17 because of your loss?

18 A I go to my family care physician regularly, and on
19 one of the wellness checks, you know, she knew what
20 happened with Allison, and I started on Trazodone,
21 which is a sleep medicine, because I was just
22 nervous. I couldn't --

23 Q Do you still take that now?

24 A Yes, I do.

25 Q Does it help you sleep?

1 A Yes, it does.

2 Q Any other medical care or treatment because of
3 your loss?

4 A Not specifically for my loss. I've got other
5 health issues, but not -- not because of that.

6 Q Not related to Allison though?

7 A No.

8 Q Okay.

9 A No.

10 Q Did Eric have any treatment of any kind, any
11 counseling of any kind?

12 A Yes. Eric was hit with -- it was -- it was tough.
13 It was tough to get him into treatment, but
14 Allison's death, he -- he has no other siblings, it
15 really -- it really struck him. He had kind of a
16 mental breakdown and didn't work for over a year.

17 Q Where had he been working?

18 A In Ann Arbor he was working at an RV company.
19 They made RVs. He's a mechanical engineer. And he
20 was on contract, and this contract would end in
21 June, but because of coronavirus, it ended the week
22 of -- right after Easter.

23 And so then from Easter to June, Allison still
24 hadn't passed, when it came up, he was trying to
25 look for work. It was coronavirus time. And when

1 Allision passed in July, he -- he had a tough time.
2 He's kind of quiet. He doesn't say much. He went
3 into her room several times and laid on the bed.
4 He was on Adderall also, and it was affecting
5 his -- it was affecting him in a counteractive way.

6 So finally -- Paul might have more details,
7 it's in the medical -- well, I don't know because
8 of Eric. It's not in those medical records. He
9 had kind of a panic attack and went to urgent care.
10 And they said we don't have the resources here at
11 Mercy Health on Central there at King, I think.
12 And so they said you don't have to be ashamed, a
13 very nice nurse coaxed Eric, and Toni is his wife,
14 to take Eric to Flower in the emergency so he could
15 get admitted, which is what Paul wanted, for him to
16 get some psychiatric care and get on some medicine
17 because Eric was thinking people were following
18 him.

19 Q When was this?

20 A 2020.

21 Q How long after her loss?

22 A He had been thinking some of the things before.

23 He had some kind of a mental issue that because of
24 his work schedule he couldn't get in to take care
25 of it. So he was -- he was a little bit paranoid.

1 He was paranoid of the neighbors watching him.

2 And so then all this happened, then when
3 Allison passed, it just compounded it. And so they
4 went in to Flower in 2020, I believe -- or 2021,
5 and Eric finally got put on some psychiatric
6 medication.

7 Q Was he out of work for a year because of his
8 mental health issues or because of COVID shutting
9 things down?

10 A Partly both.

11 Q Okay.

12 A Partly both. We were really worried about Eric.

13 Q Is he doing better now?

14 A He is. He stays on the medicine, and he talks to
15 a counselor, and he has a doctor, and thank God,
16 Eric is working and --

17 Q At the RV place or somewhere different?

18 A He works at Mobex Global in Edon, Ohio, E-d-o-n,
19 Amish Country. He's a mechanical engineer, and he
20 commutes two hours a day, one hour there and one
21 back.

22 Q Did he lose the job for the RV company or did they
23 shut down or what?

24 A No, he was on contract, which he thought was a
25 good idea at the time, but his contract would have

1 stopped in June, but because of COVID, they just
2 let it -- let that time lapse.

3 And the week -- Easter Monday basically was
4 when he got an e-mail on his phone that said that,
5 you know, we're not going to recall you.

6 Q So his contract ended in June of what year?

7 A 2020.

8 Q So right before Allison passing?

9 A Right before Allison, yes.

10 Q Then after his contract ended, he was trying to
11 find employment somewhere else and ended up at
12 Mobex?

13 A Mobex Global, yes.

14 MR. BAHRET: Okay. Ma'am, I'm going
15 to pass you over to Mr. Johnson. He may
16 have some questions for you.

17 - - -

18 EXAMINATION

19 BY MR. JOHNSON:

20 Q Hello, ma'am. I'm Lee Johnson. We met earlier.

21 A Yes, we did.

22 Q First and foremost, my sympathies and condolences
23 on the passing of your daughter.

24 A Thank you very much.

25 Q I'd like to follow up on a couple things that

1 Attorney Bahret asked and then ask you a couple of
2 new things.

3 A Okay.

4 Q My first question is that you told Attorney Bahret
5 that Allison was not supposed to be home on the
6 night that she died. Where was she supposed to be?

7 A She was riding around with Jerry Zohn, and I
8 talked to her at 5 p.m., and I had a big dinner, my
9 mother happened to be visiting at that time from
10 April in 2020. And she said don't worry, don't
11 worry about me, I'll be okay. So it was supposed
12 to be day trip. They didn't have a destination.

13 I hadn't mentioned at all during this time,
14 this is really a big one, Allison heard voices, and
15 that's part of the mental illness. And she only
16 heard it after the lice episode. Went a year with
17 the lice, and then she started hearing voices after
18 she got off of Adderall. I'm not a doctor. They
19 put her on another stimulant, but she felt that if
20 she could go away farther the voices would stop.
21 So if she could get farther away from the house,
22 the voices would stop.

23 And, I guess, she was having a tough time.
24 This is things I heard from Jerry. Somebody told
25 me Jerry Zohn -- I think maybe the detective told

1 me, they turned around. Allison was -- I didn't
2 hear it until recently that she was crying. I
3 think Jerry Zohn's deposition. And so she decided
4 to come back home that night.

5 I think from an earlier conversation when he
6 was at the -- his hearing, I believe, in front of
7 Judge Carr, he said that they were headed towards
8 Bluffton or Bluffton was their final stop, and, I
9 guess, they got rooms there, one room, I guess, and
10 someone asked them -- they got double beds there,
11 but Allison was having a tough time.

12 I wish I'd of called her earlier that day
13 because with MS the heat just -- just exacerbates
14 it, and it was 107 degrees heat index the night
15 that Allison did what she did.

16 Q So I have two things to follow up on because you
17 said that twice now with the heat index and the
18 107. Is your home air conditioned?

19 A Yes.

20 Q But are you suggesting that you think that that
21 might be a theory that might have caused Allison
22 discomfort, which might have made her take her
23 life? Is that what you're saying?

24 MS. WEAVER: Objection, form.

25 A She told --

1 Q I'm asking for you to explain it to me.

2 A I'm telling you that Allison told me one time
3 before the 4th of July, now, I guess, she got the
4 gun on the 7th, they're trying to make me kill
5 myself.

6 Q You mean the voices in her head?

7 A Yes.

8 Q Okay. Well, when she said that, what did you do
9 about that?

10 A I told her have you talked to Dr. Singh. How can
11 we help you. Have you talked to Dr. Singh.

12 And, I guess, these voices were fleeting
13 because she seemed like she was normal a lot of the
14 time.

15 Q Well, she said something that concerned you. You
16 said have you talked to your doctor. Did her
17 response alleviate the concerns about her
18 wellbeing?

19 A No, never.

20 Q What did you do about that then?

21 MS. WEAVER: Objection.

22 A I kept asking her has she talked to Dr. Singh
23 because she wouldn't let us call him.

24 Q Yes, and she responded. But my question is what
25 did you do about it if you were so concerned?

1 MS. WEAVER: Same objection.

2 A I couldn't do too much.

3 Q So is your answer you didn't do anything?

4 MS. WEAVER: Objection.

5 A I just talked to Allison.

6 Q Okay.

7 A We were trying to find someone else where we could
8 call. We called the Zepf Center. I was trying to
9 get her the help through -- through psychiatrists,
10 people that deal with mental illness. So I didn't
11 go to Flower and talk with somebody, no.

12 Q At what point did you -- let me ask it this way.
13 First, did you consider Allison mentally ill?

14 A Oh, I -- well, she could function, and she got all
15 these degrees.

16 Q Yes. That's what I was going to say. You told us
17 about three different degrees, and you said she was
18 bright?

19 A Yes.

20 Q Sometime Magna Cum Laude, sometimes Summa Cum
21 Laude. So my question -- and I know it's a hard
22 one, but if you can give me an answer, binary, yes
23 or no, my question is did you consider Allison
24 mentally ill?

25 A Yes.

1 Q At what point did you consider her mentally ill?
2 At what age or at what time frame?

3 A Towards the end of her third degree at Owens, and
4 she was being -- she was very fatigued.

5 Q She took the incomplete?

6 A Yeah, she took the incomplete.

7 Q But eventually finished and got her PA?

8 A Eventually finished.

9 Q Approximately in 2018?

10 A I've got it written down. My husband will have
11 the dates.

12 Q Okay. I'm sorry. I interrupted. Go ahead.

13 A No. She did some things or was saying some things
14 that just didn't -- that you wouldn't -- you
15 wouldn't say. For -- can I give an example?

16 Q Well, let me do it this way, all right? You
17 strike me as a very involved mother, your daughter
18 lived with you --

19 A Uh-huh.

20 Q -- pretty much her entire life --

21 A Yes.

22 Q -- albeit a couple months here and there, true?

23 A Right.

24 Q You were involved in her life?

25 A Yes.

1 Q And you asked a lot of questions, and you're a
2 verbose person, you talk a lot, but you're
3 informative. Would you agree?

4 A Yes.

5 Q So you saw these things in your daughter, and you
6 were concerned, and you approached her, true, for
7 your wellbeing and hers, true?

8 A Yes. If there was something I saw that, you know,
9 wasn't -- wasn't what I considered logical or
10 right, yes, I did.

11 Q Now back to the question that I had pending, and
12 it was around the time that she was going to Owens,
13 and she wants to be a physician's assistant, she
14 has to take an incomplete --

15 A Yes.

16 Q -- because, as you testified --

17 A Yes.

18 Q -- she had MS, and it made her tired?

19 A It made her tired, but Allison didn't know --

20 MS. WEAVER: Let him ask a question.

21 Q I'm just reviewing to try to make logic of my
22 question, okay?

23 So it was after she completes her degree or
24 sometime during when she's going to Owens that you
25 believed subjectively in your head that mentally

1 something's off with your daughter?

2 A Uh-huh.

3 Q This would be in the last two years-ish of her
4 life; is that accurate?

5 A Two or three.

6 Q Okay.

7 A Once she got MS, it was -- yeah.

8 Q So then my questions are what did you do about it,
9 and your answer was you talked to her, correct?

10 A I was trying to make sure she made her
11 appointments with Dr. Singh, that she kept them.

12 Q Okay.

13 A She also had a psychologist that -- too. She
14 would tell us about that all the time.

15 Yes, we knew she had mental -- mental
16 problems. Some of things that she might do
17 didn't --

18 MS. WEAVER: Let him ask a question.

19 Q So you told me about she perceived there to be
20 lice on her arm, which there wasn't?

21 A Yeah, her whole -- yeah.

22 Q Was that during the last two to three years of her
23 life?

24 A Yes.

25 Q So then that's my question. What did you do about

1 it, and you encouraged her to get help through her
2 psychiatrist --

3 A Yes.

4 Q -- and psychologist, correct?

5 A Yes.

6 Q But really only the psychiatrist at that time,
7 correct, not so much --

8 A Yes. The psychologist she would see occasionally,
9 I guess.

10 Q So we've established that, and you can butt in and
11 tell me if I'm wrong or you remember anything else.
12 What else did you do with reference to the concerns
13 you had for your daughter's wellbeing in the last
14 two to three years of her life? That's my
15 question.

16 MS. WEAVER: Objection.

17 You can answer.

18 THE WITNESS: Okay.

19 Q Without repeating what you've already told me.

20 A Well, Allison was going to go off to Mexico. I
21 had to take care of my 94 year old mother in
22 Indiana, so I was on my way to Indiana, but Allison
23 called Sergio, her Hispanic boyfriend, and his
24 family lives down there, and she was going to go
25 down to visit, and the implication was that if she

1 goes there, there won't be any voices.

2 Q Okay.

3 A So we tried to intervene. And when she called
4 Sergio, he said don't go down there. Yeah, we
5 tried to intervene because it's not safe enough
6 right now for you to go.

7 I intervened several times with her and her
8 father. She would really rile my husband up.
9 They're both highly intelligent, and I was actually
10 in between them so he wouldn't strike her because
11 she -- I don't know how to put it. She would get
12 agitated, and so she was very calm too, she had no
13 fear. She had no fear of my husband, but --

14 MS. WEAVER: This is going beyond the
15 scope of the question that was asked.

16 THE WITNESS: Oh.

17 Q Is it all right if I call you Elaine?

18 A Sure, call me Elaine.

19 Q So we got off field a little bit, but you touched
20 on something that I was going to get to later.
21 There's something called discovery, and we've had a
22 chance to review records that have been turned over
23 to your counsel.

24 A Uh-huh.

25 Q So one thing that you just enumerated here was

1 there was physical violence between Allison and
2 Paul, the father.

3 MS. WEAVER: Objection, misstates --
4 A There was never --

5 MS. WEAVER: Let me put on my
6 objection, then you can answer.

7 THE WITNESS: Go ahead.

8 MR. JOHNSON: Go on, you go ahead.

9 MS. WEAVER: Objection, misstates
10 prior testimony.

11 MR. JOHNSON: Thank you.

12 Q Your attorney has objected, and I've noted that,
13 so please correct my misstatement.

14 I believe that I read in the records, and
15 correct me if I'm wrong, that there were physical
16 altercations between Paul and Allison. Is that
17 true or not true? That's my question.

18 A He got -- she got him riled up, but he never hit
19 her.

20 Q Okay.

21 A If it got to that point where he would just say
22 something or she would, I would stand between them
23 so he never hit -- if he has to hit anybody, hit
24 me.

25 Q Okay.

1 A Don't hit Allison. She never had, you know -- I
2 would sacrifice myself so -- because she was
3 sick -- that he didn't hit her.

4 Q Okay. There are indications in the records that
5 Allison suggested that her father was -- and this
6 is the word, and I don't think I misquoted it,
7 quote, abusive, end quote.

8 Do you know why your daughter would call your
9 husband, her father, abusive?

10 A Yes, sometimes he said things that might not be
11 very complimentary --

12 Q Such as --

13 A -- for some --

14 Q That you know. I don't want you to speculate.
15 What did you hear that leads you to say that?

16 A Oh, boy. It's hard to -- it's hard to say. He --
17 when he was all wound up from his periodontal
18 practice coming home at night, he didn't want to
19 talk to anybody for a while. He -- it was him and
20 the TV. And Allison always was a talker. She'd
21 come down and try to say something to him, and he
22 barked at her, shouted at her, not now, not now,
23 I'm watching television. So he would get agitated.

24 Q Anything else that would lead to the fights to
25 where you'd have to step in? What was the

1 discussion that would get him to the point where
2 you felt you had to intervene?

3 A Oh, gosh, there's so many different things that
4 Allison said that --

5 Q Well, how many times -- and I'm sorry to interrupt
6 the pending question, but how many times would you
7 have to intervene between Paul and Allison?

8 A Not every night.

9 Q Okay.

10 A Not every night.

11 Q Okay. So you're talking almost hundreds of times;
12 is that true?

13 A No, I wouldn't -- I wouldn't say it's hundreds.

14 Q Well, what would you say?

15 A I'm talking during this last period now, the last
16 couple years when Allison would say different
17 things, I don't know. I know she called the
18 Sylvania Township or my husband called because she
19 was unruly. And how many times exactly? Maybe
20 five. I don't know exactly. Maybe he'll be able
21 to answer that.

22 Q So let me just clear this up because we've seen
23 police reports. The police, in this case, Sylvania
24 Township, came to your home for disputes because
25 somebody in the household called due to heated

1 arguments between Paul your husband and Allison
2 your daughter, true?

3 A Exactly.

4 Q You believe that happened approximately five
5 times?

6 A Couple of them she was sick.

7 Q Okay.

8 A And they did haul her out on the stretchers.

9 Q Ma'am, I'm sorry to interrupt you. I don't mean
10 to. I just want to try to keep you focused on the
11 question.

12 A Yes, let me focus. Yeah.

13 Q Sure. It was approximately five times that you
14 can recall. My question then is was there a
15 particular topic that they would get on that would
16 cause either the police to be called or you to
17 intervene? Was there a hot topic that Paul and
18 Allison --

19 A Well, the voices for one thing. And one time --

20 Q Okay. Well, what was the --

21 A -- my husband was laying in bed because Allison
22 would just come in and talk, and he was tired from
23 work, and he apologizes that he said I don't care
24 about the voices right now. And I said -- and I
25 yelled back to Allison don't worry, Allison, you

1 can talk to me always. And I said -- and then a
2 couple occasions I said your dad loves you dearly,
3 Allison, he loves you, sometimes he's --

4 Q Elaine, I apologize for interrupting. I totally
5 have no doubt of your love for your daughter, okay?
6 But my question is -- and if you don't know, it's
7 okay -- what was the cause for the police to come?
8 I know they were agitated at each other. What was
9 the topic that got them so agitated, if you know?

10 A Well, I think one -- one of them, I remember, was
11 leaving the house.

12 Q What about that?

13 A He wanted -- she wanted to leave.

14 Q Okay.

15 A And she thought she had a urinary tract infection
16 or she was going to get tested over at Flower.
17 Well, that was the night that she got in the car
18 and went going down to -- down 75 and had the
19 accident. She never made it to Flower. That's why
20 we didn't want her to be in the car alone. She
21 started to get kind of erratic in her driving.

22 Q Ma'am, I apologize for cutting you off again. But
23 I'm trying to --

24 A Go ahead. Go ahead.

25 Q If I heard you correctly, Paul was upset that your

1 daughter had a UTI?

2 MS. WEAVER: Objection.

3 A No, that she was going to get in the car.

4 Q That she was going to get in the car and --

5 A Yeah. He always wanted to drive her, and a few
6 nights she stayed at Wyndham Hotel to kind of just
7 relax. No, he wanted --

8 Q To get away --

9 A He wanted to drive her.

10 Q So that was one particular fight?

11 A One that I remember is when she would want to take
12 off, when she was in her -- now we knew she had MS,
13 and she had voices, and we didn't want her to drive
14 to Cleveland. And sometimes she had to go to
15 appointments, it was bad weather out there. So he
16 really wanted to keep her from harm really.

17 Q Okay.

18 A Keep her from harm.

19 Q Can you identify any other things that would
20 cause, topic wise or discussion wise, Paul and
21 Allison to fight to the point where you had to
22 intervene? One was about him not wanting her to
23 drive to Findlay. Was there anything else that you
24 can recall?

25 A Well, a couple times -- well, the time she wanted

1 to go to Mexico, you know.

2 Q Okay. To see Sergio?

3 A No, Sergio's in the United States.

4 Q Oh, okay.

5 A Yeah.

6 Q I'm sorry.

7 A Yeah, Sergio is here, but his parents are in
8 Mexico.

9 Q Why would she want to go to Mexico?

10 A To try to get rid of the voices.

11 Q So safe to say Allison wanted to leave the home
12 that she had been in for 37 years or is that just a
13 general standing wish of hers?

14 MS. WEAVER: Objection.

15 A She did leave. Her -- one of her professor
16 friends showed her how to get subsidized housing.

17 Q Yes, you told us about that.

18 A She got disability.

19 Q But you also said it only worked for about one
20 month, and then she --

21 A Yes, that's true.

22 Q -- moved back home.

23 A It's true.

24 MS. WEAVER: Let him ask the whole
25 question.

1 Q So, again, if you can't tell me, you can't tell
2 me, and I'll leave this alone because we're
3 starting to go round and round here.

4 Paul didn't want her to go to Mexico, he
5 didn't want her to drive to Findlay. What else
6 would it be?

7 A He wanted to drive her.

8 Q I got that part.

9 A He didn't want her to drive herself.

10 Q Anything else?

11 A A couple times Allison would say as far as
12 being -- you asked me about the mental ill --
13 mental illness, okay, she threatened one time to
14 call the State Board in Ohio and have Paul's
15 license suspended.

16 Q For what reason?

17 A Now, that's a good question. I don't know what
18 was coming up at the time.

19 Q Why would your daughter threaten to have her
20 father's dental license revoked?

21 MS. WEAVER: Objection.

22 Q Specifically why did Allison make that threat to
23 Paul?

24 MS. WEAVER: Same objection.

25 A I don't know. I don't know what -- why. She got

1 dental care there.

2 MS. WEAVER: If you don't know, you
3 don't know.

4 A I don't know. I just -- I don't remember.

5 Q Is there anything else that you can remember that
6 was a common topic of fights between Paul and
7 Allison?

8 A Well, the voices were big.

9 Q Okay. But what would cause Paul to be agitated by
10 the voices? He didn't buy the fact that Allison
11 was doing it or he was frustrated or what?

12 A Frustrated.

13 Q Why was Paul frustrated? Why was he frustrated?

14 A Because he couldn't fix it, and Paul's a fix-it
15 guy, and he -- this is what he's reiterated so many
16 times, I can fix that, I can fix teeth, I can fix
17 this, but I couldn't fix my daughter. He might
18 tell you that. I couldn't fix my daughter. And so
19 he start feeling pretty worthless, and that's why
20 he's in counseling.

21 Q Let's move on to something else.

22 MS. WEAVER: Can we take a quick
23 break?

24 MR. JOHNSON: Absolutely. We sure
25 can.

1 MS. WEAVER: I don't know what your
2 timing is.

3 MR. JOHNSON: Yes, this is fine.

4 MS. WEAVER: All right.

5 MR. JOHNSON: Off the record.

6 (Recess taken.)

7 Q I'm not sure where we left off, but let's
8 continue.

9 If I heard you correctly when Attorney Bahret
10 was asking you question, he asked if you ever shot
11 a gun before?

12 A Yes.

13 Q And you said yes?

14 A Yes.

15 Q How many times?

16 A A few times. Can I ask, can I elaborate a little
17 bit on that?

18 My father was a master marksman in Indiana. I
19 lived with guns all my life. I grew up with them.
20 And we went into an indoor range, and he taught me
21 how to -- and I shot the bull's-eye the first time,
22 the first shot.

23 Q How old were you?

24 A Oh, I was under 10 years old, but we always had
25 the guns locked up. I -- we never -- he never

1 would take them out and play Russian roulette or
2 anything. He respected his weapons, and he was
3 two-times state champ. He won in high-power rifle
4 two times in Indiana.

5 Q Okay.

6 A So he was a candidate to go to the Olympics in
7 Finland, but you had to sponsor yourself then, and
8 he didn't have the money, so he didn't go, but --

9 Q What year would that have been, Elaine?

10 A Huh?

11 Q What year would that have been?

12 A About 1954 or so, something like that, but --

13 MR. BAHRET: Before you were born,
14 Big Guy.

15 A So, yes, I'm -- I grew up with a father who
16 respected guns. And, you know, sometime if a gun
17 wasn't working, they had a gunsmith locally that he
18 was friends with, he repaired the gun and all that,
19 but for us kids it was off limits, and my brother
20 still doesn't shoot them today.

21 Q When's the last time you shot a gun?

22 A Oh, I was under 10 years old probably.

23 Q What was the position of Elaine the mom about guns
24 in the home?

25 MS. WEAVER: Object.

1 You may answer.

2 A We want no part of it because of -- what do you
3 call it -- instability, so to speak. I mean, you
4 can just say that didn't work out right and then
5 get a gun and cause harm to yourself or someone
6 else.

7 Q Let me challenge you on that. My question was
8 what was your positions on it, and I think that you
9 said to the effect that -- these are my words, you
10 as the mother raising a daughter and a son with a
11 husband did not want guns in your home. Is that
12 what you're saying?

13 A Did not want guns in my home.

14 Q Now you just told me a little bit about your
15 background. You were raised around them because
16 your dad was a marksman?

17 A Yes, he was.

18 Q And you respected them?

19 A Yes, I did.

20 Q So you would not be --

21 MR. BAHRET: I'll be right back.

22 MR. JOHNSON: Okay. Understood.

23 Q You would not be the one objecting to them or you
24 would object to guns in the home?

25 A I would object to guns in the home.

1 Q The reason is because --

2 A Well --

3 Q I'm sorry. I've got to get this out.

4 The reason, if I heard you right, was because
5 you said there was instability in the home. Here's
6 my question. Does that instability include the
7 fights between Paul and Allison?

8 A Well, if she were --

9 Q Does it include? That's my question.

10 A Yes.

11 Q Okay.

12 A Well, yeah.

13 Q What else?

14 A Way before that.

15 Q I'm sorry. What else would constitute
16 instability?

17 A Just somebody getting mad or emotions, you know,
18 talking with somebody, well, I have something
19 stronger than that, I'll just -- it's too risky.

20 Q Do you believe that for the people in your
21 household, and that would have been four people,
22 correct?

23 A (Witness indicated affirmatively.)

24 Q Eric, Allison, Elaine and Paul, correct?

25 A Yes.

1 Q Do you believe that instability could have
2 contributed to any of those four people if a gun
3 was in the home to possibly getting that to solve
4 an argument?

5 MS. WEAVER: Objection.

6 Q Was that a concern of yours?

7 A That seems like why people have them.

8 Q Was it a concern of yours?

9 A Well, I could even be unstable as a mother, you
10 know, yes, yes. I would say yes.

11 Q Okay.

12 A That's not the whole answer, but that's --

13 Q I understand.

14 A Yes.

15 Q I'm just taking the instability.

16 A Yes.

17 Q So one of Elaine's fears was instability, which
18 includes arguments between Paul and Allison and
19 even possibly yourself, you were fearful that if a
20 gun were in the home that it could be used for
21 harmful purposes?

22 A Yes.

23 Q Is that true?

24 A Yes.

25 Q Why did Paul not want a gun in the home?

1 A For that reason. He thinks that things could be
2 settled without firearms. He's not a hunter. His
3 family did not have guns, although both his father
4 and my father were World War II Veterans. But he
5 wasn't raised with them, and he thinks that they're
6 dangerous.

7 Q You're Greek Orthodox, but raised Catholic, and
8 you chose --

9 A Not raised Catholic, not until I got married.

10 Q Is Paul Catholic?

11 A Yes.

12 Q Where was Paul born?

13 A In Toledo.

14 Q Where did he go to dental school?

15 A Indiana University.

16 Q Is that where you met him?

17 A No, actually not. I met him here at the Toledo
18 Club.

19 Q So did you and/or Paul ever tell your children
20 Eric and Allison that they could not own a gun?

21 A I think so.

22 Q When did you tell them that?

23 A They never asked me for one thing.

24 Q All right.

25 A And it really didn't come up a whole lot.

- 1 Q Okay. My question was did you ever tell them they
2 could never own a gun?
- 3 A Not in our home.
- 4 Q Okay. Did Paul ever tell Allison or Eric that
5 they could never own a gun?
- 6 A Or bring it to our home, yes.
- 7 Q So both you and Paul said that to them? You told
8 your children --
- 9 A I --
- 10 Q Go ahead.
- 11 A I think Paul reiterated more that he wants no guns
12 in our home.
- 13 Q Okay.
- 14 A Now, we really didn't talk about guns, what they'd
15 do if they were out of our home, you know. We
16 didn't -- that never came up.
- 17 Q So forgive me for this background, but did you
18 give birth to Allison?
- 19 A Yes.
- 20 Q Where was Allison born?
- 21 A Flower Hospital.
- 22 Q And her date of birth was --
- 23 A 12/4/82, I believe.
- 24 Q She went to elementary school where?
- 25 A Hill View.

1 Q How did she do at Hill View?

2 A Excellent. She got the Citizenship Award in sixth
3 grade.

4 Q Citizenship meaning --

5 A Just helpful to everybody and volunteering and
6 everything, and I didn't see her get the award
7 because I was at the office.

8 Q Was she social?

9 A Yes.

10 Q Did she get along with girls and boys?

11 A Yes.

12 Q One better than the other?

13 A No, she had a brother, she --

14 Q Where did she go to junior high?

15 A McCord.

16 Q How did she do there?

17 A She did good. She did -- she was always a
18 scholar, she --

19 Q Always good grades?

20 A Always.

21 Q Any problems with socialization?

22 A No.

23 Q Any sports up to junior high?

24 A Sports?

25 Q Did she play any sports?

- 1 A She had volleyball.
- 2 Q At what age?
- 3 A Maybe 13, 14.
- 4 Q So we're still in junior high. Any sports up to
5 junior high?
- 6 A No, no.
- 7 Q Where did she go to high school?
- 8 A Northview.
- 9 Q Did she play sports at Northview?
- 10 A No.
- 11 Q When did she play volleyball?
- 12 A In junior high.
- 13 Q Okay. How did she do in volleyball?
- 14 A She wasn't real good.
- 15 Q So after volleyball in junior high, no sports in
16 high school, correct?
- 17 A No sports.
- 18 Q Good grades in high school?
- 19 A Excellent.
- 20 Q Honor roll?
- 21 A Oh, yes.
- 22 Q National Merit Society?
- 23 A Oh, yes, she was straight As.
- 24 Q Graduated top of her class?
- 25 A Pretty much.

1 Q Any issues socialization in high school?

2 A No --

3 Q After --

4 A -- not really.

5 Q I'm sorry.

6 After graduating from high school, she started
7 to study where, at UT?

8 A University of Toledo.

9 Q That's when she got her first degree, her
10 Bachelor's degree?

11 A Yes.

12 Q In business education?

13 A No, she got it in Spanish.

14 Q Espanol?

15 A Yes.

16 Q You said she graduated Cum Laude?

17 A Magna Cum Laude.

18 Q During her time at UT undergraduate, did she have
19 any issues with socialization?

20 A No, but she wanted to live at home.

21 Q Okay.

22 A Because the dorms were just too unruly.

23 Q Up to this point, she now graduated from college,
24 did she have a boyfriend?

25 A She had -- now where is she, in high school?

1 Q No, I'm all the way through college already. She
2 already graduated, she's got one degree, a
3 Bachelor's degree.

4 A She had one friend who I would consider her steady
5 boyfriend, so to speak.

6 Q What was his name?

7 A Sergio.

8 Q Obviously you had met him?

9 A Oh, we loved him.

10 Q You loved him, Paul loved him?

11 A Oh, yes.

12 Q No objections to Allison dating Sergio?

13 A No, he helped us.

14 Q What broke them up, if you know?

15 A What?

16 Q Why did they stop dating?

17 A I don't know.

18 Q Okay. If you don't know, you don't know.

19 A Yeah, I don't know.

20 Q Now she goes and she gets a Master's degree from
21 Toledo, correct?

22 A Yes, she did.

23 Q How's her socialization then?

24 A Good.

25 Q Okay. No problems?

1 A No. She was a graduate assistant in criminal
2 justice.

3 Q Was there any issues with anything mental, any
4 feelings or voices up to this point all the way
5 through the Master's?

6 A She didn't talk about voices at that point.

7 Q What about lice on the skin, anything like that?

8 A Nothing in school like that, nothing until --

9 Q Now, correct me if I'm wrong here, because I
10 didn't hear you say a word about this, and here's
11 the question. Am I accurate that your daughter
12 attended the police academy?

13 A She actually was offered to get on the police
14 force, but she --

15 Q Not only offered, but she started at the police
16 academy?

17 A No, I don't think she started.

18 Q She was quoted in the Toledo Blade as being -- go
19 ahead.

20 A I remember that. She wanted to, and she had a
21 real nice -- this fellow who was a recruiter that
22 they wanted women on the force, and her objective
23 was to be a detective eventually.

24 Q She said that in the article. So you're telling
25 me she never started the academy?

1 A I don't think she did from my -- from my
2 recollection.

3 Q Do you ever remember her wearing a cadet uniform?

4 A No.

5 Q Okay.

6 A No.

7 Q So how long do you think that, I'll call it a
8 flirtation with the police academy lasted, if you
9 know?

10 A Oh, I don't know, a couple years maybe because
11 after that issue in Michigan, she just -- she told
12 the policeman, I believe, I wasn't there, that she
13 was not a candidate now, she would not be a
14 candidate because she had the altercation in
15 Michigan, is what she thought -- what she thought.

16 Q So to visit that quickly, she was charged with
17 assault, correct?

18 A I think, I think.

19 Q Okay. She was charged with striking somebody, if
20 you want to call it assault?

21 A Oh, yeah, because his father was a policeman.

22 Q I don't want to get into the background, but just
23 to sort of fine point --

24 A Sure. Okay. Okay.

25 Q I'm not trying to cut you off. I'm sorry.

1 A No, that's okay.

2 Q She had an altercation with a man in a boat, and
3 she was charged with assault or battery, had to go
4 to court, you went with her?

5 A Yes, I did.

6 Q And there was a resolution, but because of that,
7 you're telling me now that because of that incident
8 she then removed herself as a candidate from the
9 police academy? Is that your belief?

10 A She told the policeman who inquired because he was
11 offering her to get into training there on the
12 force. Well, I don't think she ever went into
13 training. She just had her Master's in criminal
14 justice, and so she thought she would be
15 prohibited, she told this inquiring police.

16 Q Is it fair to say that as a result of that
17 criminal event in Michigan, that one way or
18 another, the Toledo Police weren't interested in
19 her or her subjective belief was she wasn't a
20 candidate, and that that ended her pursuit of a
21 career in criminal justice?

22 A Uh-huh, I think so.

23 Q What year was that that she ended her pursuit to
24 go on the force, if you know?

25 A I don't have the dates.

1 Q Okay.

2 A If I could look at my --

3 Q You don't have to be specific, but can you give me
4 a year?

5 A I could if I looked at my papers --

6 Q Do you have it with you?

7 A Let me see.

8 Q You can take a break.

9 A Let me see when she graduated from criminal
10 justice. She got her Master's in 2008.

11 Q Yes.

12 A So Two Thousand -- oh, wow, that's a long time.
13 It may be three years of that, maybe '11, maybe
14 2012, 2013.

15 Q Okay. That's --

16 A That's just an estimate.

17 Q Did Allison ever tell you that she liked to target
18 shoot?

19 A No, she never target shot.

20 Q Did she ever tell you she wanted to?

21 A She might have wanted to with her cousin, but he's
22 an attorney, and he doesn't have a lot of time. It
23 was just a passing thought.

24 Q Okay. What's the cousin's name, please?

25 A Tyler.

1 Q Last name?

2 A Roebke.

3 Q Where does he have a practice at?

4 A I don't know, actually, what he does.

5 Q Ohio, Michigan, Indiana?

6 A Michigan.

7 Q Michigan. Do you know what type of lawyer he is?

8 A No, I don't. At one time he was working for Blue
9 Cross and Blue Shield.

10 Q Okay.

11 A But she never really --

12 MS. WEAVER: Wait for a question.

13 A It was a passing thought.

14 THE WITNESS: I'm sorry?

15 MS. WEAVER: Just wait for a
16 question.

17 THE WITNESS: Okay.

18 Q Your daughter was born 12/4/82, correct?

19 A Yes.

20 Q What do you believe the date is that she died?

21 A July 8, 2020.

22 Q July 8, 2020.

23 A I thought that the voices got really loud for her,
24 and that's why she was crying when she was with
25 Jerry, and they turned around and came back to

1 Toledo. We didn't know it. She didn't call us.

2 And she went into her room, and the voices
3 were telling her stuff. They were voices that -- I
4 can't remember what the term is. They were
5 ordering her to do stuff. And probably the voices
6 said, well, why don't you go ahead and kill
7 yourself if you're feeling that bad, you go ahead
8 now, you're in your room, go ahead and kill
9 yourself. I think that's what happened.

10 Q How did she do that?

11 A She was at the foot of the bed, her knees hung
12 over the end of the bed, she got a towel and
13 wrapped the towel around, she laid back, put the
14 towel back here, had the firearm apparently in her
15 room, laid down and shot in here, I believe, and
16 the towel was there, I guess, she probably watched
17 video, and took her life.

18 And I heard a cry out. We didn't know what
19 that was. After I heard the pop, very shortly
20 after, I guess, it's seconds, we heard ah,
21 something like ah, had no idea that Allison was at
22 home in the room with a firearm.

23 Q Did you know then or have you come to learn where
24 Allison got that firearm?

25 A Yes, Downtown Sylvania, ADCO Firearms.

1 Q Do you think that Allison purchased the gun?

2 A No, because she was on disability by then, and she
3 thought in her mind -- she had mentioned it to Paul
4 several times that she's red flagged, and that she
5 went into the store with Jerry Zohn, and, I guess,
6 they were unlikely pair, she's 37, in her prime,
7 and here's Jerry at 71. And, of course, I wasn't
8 there. She was getting some money from disability
9 finally. She had some cash, and she -- I
10 shouldn't -- I don't know what the word would be,
11 bribed him or told him that I've got a cousin who
12 goes target practicing, you know, I might like to
13 do that, maybe you could buy me a gun because I'm
14 red flagged, I don't think I can buy one.

15 Q You know we already deposed Jerry Zohn, right?

16 A Yes, I do.

17 Q So, just to clarify, I asked you where the gun
18 came from. And is your response -- are you aware
19 that it came from Jerry Zohn? Do you know that?

20 A Yes.

21 Q You know that Jerry Zohn purchased the gun,
22 correct?

23 A Yes.

24 Q How do you believe that Jerry Zohn got the gun to
25 your daughter?

1 A She was with him in the gun store. And that's
2 where we looked back, we've asked so many questions
3 in two years to ourselves. How -- I don't know if
4 there was a check at all. Like Jerry Zohn said he
5 shot a long rifle when he was a kid, but she was
6 actually with him, and so they kind of looked
7 around at guns. I don't know if he said she wanted
8 a bigger one, but they ended up with -- I don't
9 know what it -- I don't know, I can't explain it.
10 I don't have the description of the gun. But they
11 went in together, and apparently he was writing out
12 his application right there, and I don't know if
13 there's a waiting period, and I don't know how that
14 really works.

15 Q My question is how did Allison get the gun that
16 she took her life with, do you know?

17 A She got it from Jerry Zohn.

18 Q Do you know when she got it from Jerry?

19 A No.

20 Q Did you ever ask Jerry?

21 A Well, July 2nd was when the gun was either
22 purchased or they went in for the application. I'm
23 not sure.

24 Q See if you can follow my logic. The tragic event
25 happened to your daughter, she used a firearm to

1 take her life, correct?

2 A Yes, she did.

3 Q The firearm she got from Jerry Zohn, correct?

4 A Yes.

5 Q We're here today because you sued the man sitting
6 to my left. So my question now is what did Steve
7 Thompson or ADCO do wrong?

8 MS. WEAVER: Objection.

9 You can answer, if you know.

10 A I actually don't know what happened in that store.

11 Q I can appreciate that. But my question is what
12 did ADCO or Steve Thompson do wrong?

13 A I think --

14 MS. WEAVER: Same objection.

15 THE WITNESS: Can I answer?

16 MS. WEAVER: You can answer, if you
17 know.

18 A What I think happened, there wasn't enough
19 scrutiny in -- because they were conferring with
20 each other about which gun, and I'm sure they
21 weren't ten feet apart from each other, they were
22 right -- side by side while she was looking around
23 in different cases and came back.

24 The salesperson did not ascertain that the
25 gun -- that there should be a waiting period, I

1 believe, for him to purchase the gun, and that they
2 were together, and they were conspiring with one
3 another about which gun and that kind of thing.

4 Q What evidence do you have to support that?

5 MS. WEAVER: Same objection.

6 A I wasn't there.

7 Q I know that.

8 A I wasn't there.

9 Q You already said that. We all know that. My
10 question is what evidence do you have to support
11 your statement about this discussion and this
12 shoulder to shoulder, arm to arm, what evidence do
13 you have?

14 A We have the evidence of Allison's conversations
15 with us that she couldn't purchase one on her own,
16 she was pink flagged -- red flagged, and the
17 evidence that --

18 Q Well, let's examine that part.

19 You said bribed, but basically Allison cajoled
20 or convinced Jerry Zohn to buy a gun from ADCO.

21 A Bribe isn't the correct word.

22 Q Okay. Well, you can change it any time you want,
23 whatever you want to say, you can say.

24 A Okay.

25 Q What did Steve Thompson or ADCO have to do about

1 that bribe? Allison gets Jerry Zohn to buy her a
2 gun or loan her a gun. So what did ADCO do or what
3 should they have not done in your opinion?

4 A They should have done more background screening.

5 Q On who?

6 A Probably both of them. He had Parkinson's. He
7 probably shouldn't be --

8 Q Do you think that Parkinson's is a limitation for
9 purchasing a gun?

10 A I don't know.

11 Q Okay.

12 A I don't know if it is.

13 Q So are you suggesting that ADCO should have done
14 more background other than the required
15 governmental background to sell a gun to Jerry?

16 A And a little more discernment.

17 Q That's your allegation? That's what you think?

18 A I think they should have done a little more
19 discernment before they let the gun be sold.

20 Q Do you or anyone you know know of any deal between
21 Allison and Jerry that might have enlightened
22 anybody other than those two that Allison might
23 want Jerry to purchase the gun for her?

24 MS. WEAVER: Object to form.

25 A No, I don't. She -- her friends -- her friends

1 were kind of, you know, what should I say? They
2 were dwindling, they were getting married, and so
3 no one else, I don't think, was in the picture.

4 Q Okay. Did you look at the deposition that myself
5 and Attorney Bahret took of Jerry Zohn?

6 A I haven't read it yet. My husband read it in
7 full.

8 Q So he's read it, and you have not?

9 A Correct.

10 Q So I asked Jerry Zohn did you give any indication
11 to Steve Thompson or anyone at ADCO that you were
12 purchasing the firearm for anyone other than
13 yourself, and his answer was no.

14 MS. WEAVER: Objection, misstates
15 testimony, mischaracterizes testimony.

16 MR. JOHNSON: I will note the
17 objection. If I stated that wrong, then
18 I'll state it right now.

19 Q Given that, do you believe that ADCO could have
20 done anything to prevent the sale of the weapon to
21 Jerry?

22 MS. WEAVER: Same objection as she
23 hasn't read the transcript.

24 A Yeah. I haven't read the transcript, and I don't
25 know what the procedures are.

1 Q Okay. I know that.

2 A I know on television they talk about two -- a
3 two-day wait, don't they, before you purchase a
4 gun?

5 Q Why didn't you sue Jerry Zohn?

6 MS. WEAVER: Objection.

7 A We did.

8 Q When?

9 A Most -- when? 2020.

10 Q You already sued Jerry Zohn?

11 A We tried to make a suit against him, yes, we were
12 in a hearing, civil.

13 Q This is civil right here. Are you speaking of the
14 criminal case in Sylvania? Is that what you mean?

15 A Do you want to know the attorneys that did it?

16 Q Sure.

17 A Gallon & Takacs.

18 Q Okay. So have you retained Gallon & Takacs to sue
19 Jerry?

20 A No, we've broken -- broken our suit with him.
21 Jerry now is in a nursing home, assisted living,
22 whatever, and there's nothing to pursue, there's no
23 reason that we can go -- there's nothing to derive
24 from it.

25 Q What do you mean?

1 A We took it as far as we could.

2 Q Did you ever bring a civil suit against Jerry
3 Zohn?

4 A My husband might know the answer to that.

5 Q Do you know the answer to that?

6 MS. WEAVER: Yes or no.

7 A I'm going to say yes.

8 Q Okay. So you consulted an attorney with your
9 husband Paul?

10 A Uh-huh.

11 Q And you spoke with the law firm Gallon & Takacs
12 with the intent to bring a civil suit against Jerry
13 Zohn; is that true?

14 A Yes, and --

15 Q Do you know whether or not a complaint was ever
16 filed?

17 A I don't know about that. I think it was held for
18 a long time. Do you want to know the attorney?

19 Q Sure.

20 A Jonathan Ashton.

21 Q Okay. Then what you're telling me is because
22 Jerry Zohn has Parkinson's, you decided not to go
23 forward or did you also suggest that because Jerry
24 Zohn wasn't collectible that you didn't go forward?

25 MS. WEAVER: Objection, misstates

1 testimony.

2 Q I'm asking you. It's in the form of a question.
3 I don't know what it is. It's a question.

4 A There would be no -- no further -- you can't give
5 him a certificate or anything if you end up taking
6 him to court. There's no other avenue.

7 Q What do you mean by certificate?

8 A Well, I'm just making a funny little statement.
9 There's nothing --

10 Q I want to know what you mean.

11 A There's nothing to get out of --

12 Q Collectability, is that what you mean?

13 A Well, that's, I guess, part of it.

14 Q Well, what's the rest of it?

15 A Well, I think -- nothing about his age, nothing
16 about his disability. They just kind of
17 discouraged us, so to speak, that there really
18 wasn't anything they could put their hands on.

19 MS. WEAVER: I don't want you to
20 reveal conversations that you had with an
21 attorney.

22 THE WITNESS: Okay.

23 MS. WEAVER: I wasn't there, but --

24 THE WITNESS: Sure.

25 Q Do you have any evidence at all that Steve

1 Thompson or anyone at ADCO knew that anyone other
2 than Jerry Zohn was the real purchaser of fact of
3 the gun that Allison used to kill herself?

4 A I don't have camera, you know, testimony.

5 Q I know what you don't have. I'm just asking do
6 you have any evidence, anything that you can point
7 to other than your subjective belief that Steve
8 Thompson or ADCO did anything that would enlighten
9 them or give them an inkling that anyone other than
10 Jerry Zohn was the true purchaser of the gun that
11 your daughter used to kill herself?

12 MS. WEAVER: Objection.

13 A No, just my subjective belief --

14 Q I appreciate that. Thank you so much.

15 A -- that they were there together.

16 MR. JOHNSON: I don't have anything
17 further.

18 Thank you.

19 - - -

20 RE-EXAMINATION

21 BY MR. BAHRET:

22 Q You do agree, ma'am, that in all likelihood both
23 your daughter and Jerry Zohn wanted to do
24 everything they could to convince ADCO that Jerry
25 Zohn was the actual purchaser of the gun --

1 MS. WEAVER: Objection.

2 Q -- right?

3 MS. WEAVER: Calls for speculation.

4 MR. BAHRET: Just about everything
5 she said about that purchase is
6 speculating.

7 Q Do you have an answer to the question? Do you
8 want me to rephrase it?

9 A (Witness indicated affirmatively.)

10 Q You're nodding your head yes?

11 A Yes, yes.

12 Q You would agree with me that it makes sense that
13 if your daughter thought she was unable to lawfully
14 buy a gun, and she asked Jerry Zohn to act like
15 he's buying the gun, it would make sense for both
16 of them to do everything they could while in the
17 store to make the store employees think that Jerry
18 was buying the gun and not Allison?

19 A Uh-huh.

20 Q That makes sense, doesn't it?

21 A Yes.

22 Q Do you have any information that anything other
23 than that happened?

24 A I don't have any information.

25 Q Okay.

1 A I don't have any information.

2 MR. BAHRET: Okay. Thank you.

3 I have no other questions.

4 Chelsea, what's your pleasure on
5 signature?

6 MS. WEAVER: She'll read.

7 (Deposition concluded at 3:13 p.m.)

8

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11 E. ELAINE ROEBKE

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E. Elaine Roebke

January 19, 2023

1 C E R T I F I C A T E

2 STATE OF OHIO)
3) SS.
4 COUNTY OF LUCAS)

5 I, Mary K. Tammarine, RPR, Notary Public
6 for the State of Ohio, do hereby certify that
7 E. ELAINE ROEBKE was first duly sworn; that the
8 testimony given was reduced to stenotype; that the
9 foregoing is a true and correct transcript of the
10 testimony so given; that this deposition was taken at
11 the time and place in the foregoing caption specified.

12 I do further certify that I am not a relative,
13 employee, or attorney of any of the parties or counsel
14 employed by the parties hereto or financially
15 interested in this action, nor am I or the court
16 reporting firm with which I am affiliated under a
17 contract as defined in Civil Rule 28(D).

18 IN WITNESS WHEREOF, I have hereunto set my
19 hand and affixed my notarial seal of office at Toledo,
20 Ohio, this 15th day of February, 2023.

21
22
23  MARY K. TAMMARINE, RPR
24 Notary Public in and for the
25 State of Ohio

My Commission expires September 16, 2023

IN THE COURT OF COMMON PLEAS
OF LUCAS COUNTY, OHIO

E. ELAINE ROEBKE,	:	
etc.,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Case No.: CI22-2926
	:	Hon. Lindsay D. Navarre
ADCO FIREARMS, LLC,	:	
et al.,	:	
	:	
Defendants.	:	

- - -

DEPOSITION OF PAUL ROEBKE

Date taken:	Thursday, January 19, 2023
Time:	3:20 p.m.
Location:	Rohrbachers, Cron, Manahan, Trimble & Zimmerman 405 Madison Avenue, Eighth Floor Toledo, Ohio 43604-1243
Court Reporter:	Mary K. Tammarine, RPR

- - -

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I N D E X

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- - -

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9 On behalf of Defendant Steven E. Thompson:

10 JOHNSON & ASSOCIATES:

D. Lee Johnson
11 2927 North McCord Road, Suite 100
Toledo, Ohio 43615 (419) 843-2424

12 Also Present: Steven E. Thompson

13

14 MR. BAHRET: - - - Same stipulations okay?

15 MS. WEAVER: Yes.

16 MR. BAHRET: All right.

17 PAUL ROEBKE,

18 being first duly sworn, as hereinafter certified,
19 testified and said as follows:

20 EXAMINATION

21 BY MR. BAHRET:

22 Q Sir, my name is Bob Bahret. I represent ADCO
23 Firearms, and we're here to ask you some questions
24 today so we can find out what you know and what you
25 don't know. Okay?

1 Have you ever done this?

2 A Never.

3 Q Not even in your practice?

4 A Never been sued.

5 Q Well, you might have been testifying for a
6 patient, you know. All right. Never testified.

7 State your full name for the record.

8 A Paul Roebke.

9 Q You are a dentist?

10 A I'm a periodontist.

11 Q Where did you go to dental school?

12 A Indiana University.

13 Q When did you complete those studies?

14 A Well, I completed my dental degree '71 and my
15 certificate in periodontist in '73.

16 Q So that's a two-year program post-dentistry?

17 A Yes, it is. Now it's three.

18 Q When you were in practice -- I hear you're retired
19 now, correct?

20 A No.

21 Q You're not? Where is your practice?

22 A 5329 West Alexis Road, Sylvania, Ohio, 43560.

23 Q Has your practice been located there for a good
24 number of years?

25 A Since 1974.

1 Q Are you in solo practice?

2 A Yes.

3 Q I understand in talking to your wife for a time
4 she worked for you?

5 A She's continued to work for me for a long time, up
6 to the last --

7 Q She doesn't work for you anymore, correct?

8 A Yes, she does.

9 Q Oh, I gathered from her that she thought she was
10 retired.

11 What does your wife do for you now?

12 A She sends out the billings, she's the
13 receptionist, and sometimes she assists me.

14 Q She's worked for you ever since the two of you got
15 married or so?

16 A Yes.

17 Q She told me you got married in the Seventies.
18 What was the year? She's not here to listen.

19 A Okay. That's fine. We got married October 1st,
20 1977.

21 (Discussion held off the record.)

22 Q Sir, how old are you?

23 A 75.

24 Q Were you born and raised in the Toledo area?

25 A Well, let's see, I graduated from high school in

1 '65 in Fort Wayne, Indiana, because my father was
2 transferred for Dana Corporation.

3 Q Okay.

4 A So, I guess, up to '74 -- I mean, '64. I'm sorry,
5 '64, '64. I graduated in '65.

6 Q Where were you born and go to grammar school?

7 A Toledo, Ohio, went to DeVeaux, sixth grade
8 Elmhurst, went to Sylvania High School, that's now
9 Northview, and finished my senior year in Fort
10 Wayne.

11 Q So most of your time other than for schooling
12 you've been here in the Toledo area? You went to
13 college and --

14 A Yes, yes.

15 Q -- dental school away?

16 A Yes, that's true. Yep.

17 Q And you had a couple years in late high school
18 when your dad was transferred, but other than that
19 you've been in the Toledo area?

20 A Yes.

21 Q You presently live on Old Post Road in Sylvania?

22 A Stone Post Road.

23 Q Stone Post. I'm sorry. Is that in the same
24 neighborhood as -- you know where Old Post is, I'm
25 sure?

1 A Yeah, well, that's Sleepy Hollow, I believe.

2 Q Okay.

3 A And that's Centennial.

4 Q How long have you lived at your present residence?

5 A Let's see, probably since 1994. What is that?

6 Twenty -- 27 or eight years. A long time.

7 Q Presently Eric lives with you?

8 A Yes.

9 Q He's married, correct?

10 A Correct.

11 Q Does his wife also live with you?

12 A Yes.

13 Q Do you have grandkids that live with you?

14 A No grandkids yet.

15 Q Your wife told us that Eric is working for some
16 company out in Edon at present?

17 A Yes.

18 Q He's some sort of an engineer, but I forget what.

19 A He's a mechanical engineer.

20 Q Other than a couple of months, I think it's a
21 total of three months or slightly less, Elaine
22 lived under your roof her entire life; is that
23 correct?

24 MS. WEAVER: You mean Allison?

25 MR. BAHRET: Yes. Thank you.

1 Q You probably thought I was an idiot. Let me
2 rephrase that.

3 Other than for about two or three months out
4 of her life where she was on foreign studies or so
5 forth, Allison lived under your roof her entire
6 life?

7 A Yes.

8 Q Okay.

9 A Well, let me add, she did move out and then came
10 back, I think, in February of 2020.

11 Q That's when somebody helped her with assisted
12 living -- not assisted living in physical --
13 financial assistance?

14 A Yes.

15 Q That didn't work out so she came back?

16 A Yes.

17 Q Allison never got married and has no children?

18 A Correct.

19 Q Have you ever owned a firearm?

20 A No.

21 Q Did you have any rules about your wife or children
22 owning firearms?

23 A Yes.

24 Q What were those rules?

25 A No firearms in the house.

1 Q They could own them, just had to keep them away,
2 like keep them in a locker at the gun range or
3 something like that?

4 A I suppose if they're adults they could, but --

5 Q I was assuming as much.

6 A Yeah. Okay.

7 Q I didn't think you'd let a 10 year old own a gun
8 and keep it at a gun range. But as an adult, that
9 would be a possibility?

10 A Yes.

11 Q To your knowledge did Allison ever shoot guns?

12 A I believe she did.

13 Q Do you know where?

14 A I don't know.

15 Q Did she ever actually start training at the police
16 academy?

17 A No.

18 Q She had a criminal justice type degree; is that
19 right?

20 A Master's.

21 Q At the time of her death was Allison working
22 anywhere?

23 A No.

24 Q Do you know how long before she died she had had
25 any sort of gainful employment?

1 A Oh, yes.

2 Q When?

3 A Well, she worked for the Social Security
4 Administration in Cleveland.

5 Q When was that?

6 A I can't remember really, you know.

7 Q I'm just trying to get an idea --

8 A Yeah.

9 Q -- roughly how long before her tragic ending had
10 she last worked.

11 A Oh.

12 Q Are we talking years?

13 A Well, she had worked at there, Macy's, she worked
14 security at the Casino.

15 Q And for Andersons?

16 A Oh, yes. Yes, yes.

17 Q But how many months or years were between when she
18 last worked and between when she passed away?

19 A Passed away -- I can't remember.

20 Q There was at least a couple of years though,
21 right?

22 A I don't think so. It might have been.

23 Q Okay. When she worked, you said, for the Social
24 Security Administration in Cleveland, she didn't
25 physically work in Cleveland, did she?

1 A Yes, to my knowledge.

2 Q So she commuted each day from your house?

3 A No, she -- I think she was in a long --
4 extended-care place -- extended stay.

5 Q Where? Where did she physically do her work when
6 she worked for the Social Security Administration?

7 A Where did she do her work?

8 Q Where did she physically do her work?

9 A Well, she did it at the office. She was in -- she
10 was fluent in Spanish, so she worked with a lot of
11 the immigrants or whatever, and so it was in that
12 section of town.

13 Q What section of what town?

14 A I don't know. I'm sorry. She took the bus.

15 Q To Cleveland?

16 A No, to work from the extended-care facility -- I'm
17 sorry -- from the extended-stay facility.

18 Q I'm not trying to make this difficult. Just help
19 me understand. You're telling me she worked for
20 the Social Security Administration in Cleveland?

21 A Yes.

22 Q But if I hear you right, she actually did her work
23 near Toledo?

24 A No.

25 Q No.

1 A She worked there in Cleveland. She took care of
2 clients in the office, she would help them with,
3 you know -- with their problems.

4 Q That office was in Cleveland?

5 A Yes, yes.

6 Q So how long did she work there? Because so far
7 both you and your wife told me other than for about
8 two or three months she lived under your roof. It
9 sounds like she had to be moving to Cleveland at
10 some point if your story is right.

11 A It might have been a little longer than that. It
12 was a temporary job. It was a temporary job for --

13 Q Social Security?

14 A Yes.

15 Q By temporary what are we talking, days or weeks?

16 A Less than a year, I believe.

17 Q So are you telling me she lived in Cleveland for
18 less than a year?

19 A Maybe six months. I don't really remember. She
20 used to call home.

21 Q When was this? Because I'm somewhat confused that
22 neither your wife nor you could remember that she
23 lived in Cleveland.

24 A Let me think a minute. Okay. She went to Spain
25 in the summer of 2017. She wasn't working in

1 Cleveland then. Honestly, sir, I can't remember.

2 Q All right. Did you ever speak with anybody that
3 was employed at ADCO Firearms?

4 A No.

5 Q Did you ever speak with Jerry Zohn?

6 A I said hi to him on the driveway.

7 Q You did what?

8 A Said hi to him on the driveway.

9 Q When was that?

10 A Oh, I think it was in the summer sometime. My
11 wife spoke to him more.

12 Q So whenever you said hi to Mr. Zohn, that was the
13 same day your wife talked to him?

14 A Yes.

15 Q Did you make a claim against Jerry Zohn?

16 A Yes. I didn't make a claim. I consulted with
17 Takacs and Boissoneault.

18 Q So no suit was ever filed?

19 A No.

20 Q Was a negotiated settlement reached?

21 A No.

22 Q What happened?

23 A He went into assisted living. He had no
24 insurance, and our attorney didn't want to take up
25 the case.

1 Q How do you know he didn't have any insurance?

2 MS. WEAVER: I don't you to reveal
3 any sort of privileged conversations that
4 you might have had with an attorney.

5 THE WITNESS: Okay. Okay.

6 MS. WEAVER: You can answer, if you
7 know.

8 THE WITNESS: I'm sorry? I didn't
9 understand.

10 MS. WEAVER: You can answer, if you
11 know. He asked how you knew he didn't
12 have insurance.

13 THE WITNESS: Oh, I can answer? I can
14 answer if it's privileged or no?

15 MS. WEAVER: Would it be from your
16 attorney?

17 THE WITNESS: Yes.

18 MS. WEAVER: Okay.

19 Q It's been fairly recent that Mr. Zohn went to
20 assisted living. So are you telling me that you
21 consulted an attorney about that claim after you
22 sued or your wife sued ADCO Firearms?

23 A No, before.

24 Q Before. But I assume your belief is that Mr. Zohn
25 did something wrong which ended up contributing to

1 the death of your daughter?

2 A Correct.

3 Q What are you saying ADCO Firearms did to
4 contribute to the death of your daughter?

5 A They let a straw purchase go.

6 Q Do you have any information that anybody at ADCO
7 Firearms knew this was a straw purchase?

8 A Larry Zohn has been convicted of a straw purchase.

9 Q That doesn't mean anybody at ADCO Firearms knew
10 about it, now, does it?

11 A No.

12 Q Do you have any information or proof that anybody
13 at ADCO Firearms knew that this was a straw
14 purchase?

15 A What I know? Known or should have known? Don't
16 know.

17 Q Would it make sense to you that if your daughter
18 had asked Jerry Zohn to at least act like he's
19 purchasing the gun for himself, that both your
20 daughter and Jerry Zohn would have done everything
21 possible to convince the store that's exactly what
22 was going on?

23 MS. WEAVER: Objection.

24 THE WITNESS: Excuse me?

25 Q I'm sorry?

1 MS. WEAVER: You can answer.

2 THE WITNESS: Okay.

3 Q I didn't hear what you said.

4 A I don't know. I don't know.

5 Q You don't know if it would make sense?

6 A Well, it's -- I'm not going to opine here.

7 Q You're what?

8 A I'm not going to opine here, but I think maybe a
9 gun dealer should be a little more careful if you
10 ever spot a straw purchase.

11 Q Do you have any information or belief as to what
12 ADCO should have done to be able to spot a straw
13 purchase if your daughter and Mr. Zohn are doing
14 everything possible to make it look like Jerry Zohn
15 was the purchaser?

16 MS. WEAVER: Objection, calls spoke
17 speculation.

18 A Yes, it's speculation.

19 MR. BAHRET: Would you read the
20 question back?

21 There was nothing in the question
22 that was speculation.

23 Q I asked if you have any information.

24 A That they did everything possible to --

25 THE WITNESS: Could you repeat the

1 question?

2 Q She's about to repeat it if we would both shut up.

3 A Okay.

4 (Said question read back.)

5 MS. WEAVER: Same objection. I think
6 the latter half depends on the
7 speculation.

8 But you can answer, if you know.

9 THE WITNESS: Okay.

10 A I don't know if they were doing everything
11 possible to spot a straw -- to have a straw
12 purchase being spotted.

13 Q Well, doesn't it make sense that that would be on
14 their mind to do everything possible if they're
15 trying to make it look like Mr. Zohn is the
16 purchaser for himself?

17 MS. WEAVER: Objection.

18 Q I mean, if that's your plan going into the store,
19 wouldn't you stick to that plan?

20 MS. WEAVER: Same objection.

21 A I don't know.

22 Q Well, doesn't it makes sense that you would stick
23 to the plan?

24 A I don't think so. I can't tell you.

25 Q Okay. You're not going to come up with a

1 different answer at trial, are you?

2 A I don't believe so.

3 Q Okay. Did Allison ever speak to you about any
4 desire to purchase a gun?

5 A One time, and I said -- and I said absolutely not,
6 not here in my house.

7 Q Were you in a restaurant when she asked about
8 purchasing a gun? I don't know what you're telling
9 me.

10 A I don't want a gun around in my house.

11 Q Did you for a minute think that's what I asked
12 you?

13 A Yes.

14 Q Well, it's not what I asked you. Listen. Did
15 Allison ever speak to you about purchasing a gun?

16 A She said she'd like to have a gun.

17 Q When did she say that?

18 A I can't remember.

19 Q Can you give me any approximate, 20 years ago?

20 A Probably maybe -- I'm not sure about this, but
21 maybe a year and a half ago.

22 Q A year and a half ago. How long ago has Allison
23 been gone?

24 A Allison died July 8th, 2020, a year and a half
25 before she died.

1 Q So not a year and a half ago from now, a year and
2 a half before she died she said she would like to
3 own a gun?

4 A I believe so.

5 Q How did that topic come up?

6 A It just did, you know. She was thinking about
7 going into the police academy, but that didn't work
8 out because of her back.

9 Q So she was talking about purchasing a gun before
10 she would start the police academy?

11 A No. She might have mentioned it a couple times.
12 It's hard for me to remember.

13 Q Can you remember anything about how the
14 conversation went? She pipes up out of nowhere and
15 says I'd like to own a gun?

16 A I think so. I don't know. It's hard for me to
17 remember, sir. I've had about 11 to 13
18 electroshock therapies. My memory isn't too great.

19 Q Do you have any recollection as to how you
20 responded to her alleged desire voiced to you to
21 own a gun?

22 A I said she shouldn't have one because of her
23 condition.

24 Q What condition is that?

25 A Multiple sclerosis progressive, relapsing

1 remitting.

2 Q So because of MS, you thought she shouldn't have a
3 gun?

4 A That's correct.

5 Q What's the connection?

6 A People with MS are suicidal, and they're
7 depressed.

8 Q Did Allison ever exhibit any suicidal tendencies
9 to you?

10 A Yes.

11 Q When and how?

12 A It became evident February 22nd, 2000, when she
13 crashed her car.

14 MS. WEAVER: I think you mean 2020.

15 THE WITNESS: Twenty -- oh, '20.

16 2020.

17 A Kind of hard for me to remember though. It was my
18 wife's birthday too when we got the call from the
19 state trooper.

20 Q Before she crashed her car, had she ever said
21 anything about an intent to harm herself?

22 A Oh, yes.

23 Q She did?

24 A Well --

25 Q Tell me about that.

1 A Well, not to harm herself, she just wished she
2 could die. That's what she told me.
3 Q Because she had MS?
4 A Correct, and pain.
5 Q And what, I'm sorry, pain?
6 A Yes, bad pain.
7 Q But did she ever say anything about a desire to
8 harm herself?
9 A She just wished -- she wanted to die.
10 Q Do you want me to repeat the question?
11 A Go ahead.
12 Q Did she ever tell you anything about a desire to
13 harm herself?
14 A She said she might hang herself.
15 Q She said she would hang herself?
16 A She talked about it, yeah, when she got mad.
17 Q When did she tell you she might hang herself?
18 A I believe it was a year before she died.
19 Q That was in the house or where did that
20 conversation take place?
21 A It was in the house.
22 Q Anybody else witness that alleged conversation?
23 A I believe my wife did.
24 Q Your wife didn't tell us about that. In fact, she
25 said Allison never threatened suicide.

1 A Oh.

2 Q She said that under oath, sir.

3 A Oh, okay.

4 MS. WEAVER: I think that misstates
5 her testimony.

6 Q So how sure are you that that statement was ever
7 made that your daughter said she wanted to hang
8 herself?

9 A I remember when she was going up the stairs and
10 she said it.

11 Q So how did you respond to that?

12 A I said if you do that, everyone's going to feel
13 sorry for us, and you're not going to -- you know,
14 that would be the worst thing you could do to your
15 reputation.

16 Probably wasn't the greatest thing to say, but
17 I was pretty upset about it.

18 Q So how many times did she supposedly say that she
19 might hang herself?

20 A I believe it was just once.

21 Q Okay. Did you do anything to try to prevent it?

22 A Of course, she was seeing a psychiatrist.

23 Q She was seeing a psychiatrist at the time?

24 A Oh, yes, she'd been seeing a psychiatrist for a
25 long time.

1 Q Did you ever talk to the psychiatrist?

2 A Several times.

3 Q Did you tell the psychiatrist that your daughter
4 supposedly said she wanted to hang herself?

5 A Not in this instance, but other times.

6 Q Well, other times, you told me that she made that
7 comment once.

8 A She did.

9 MS. WEAVER: Other --

10 Q What other times are we talking about then?

11 A Well, like -- well, she had tingling in her limbs,
12 and she thought she had -- we thought she was
13 seeing a dermatologist. So we went to see her
14 psychiatrist, and I believe she had delusional
15 parasitosis, and they changed her medication.

16 Q I'm not asking about any of that. I'm asking did
17 you ever tell the psychologist or psychiatrist,
18 whichever, that your daughter said she might hang
19 herself?

20 MS. WEAVER: Or commit suicide, isn't
21 that what you're asking?

22 MR. BAHRET: Yes, and so far all I've
23 heard is no.

24 Q I'm not at all interested in you telling the
25 psychiatrist that she has bugs on her arms or any

1 of that sort of stuff.

2 I want to know if you ever told the
3 psychiatrist or psychologist that your daughter
4 made any comments --

5 A No.

6 Q -- that she might harm herself?

7 A No, I didn't.

8 Q Why not?

9 A Because there are certain rules, and I believe
10 she -- I believe she signed something that told us
11 that we couldn't get into her stuff. She was very
12 protective of that.

13 Q HIPAA rules has nothing to do with what you tell
14 the doctor, it's about what the doctor tells you.
15 And as a physician or dentist, periodontist, you
16 know that. So what are you trying to tell me?

17 MS. WEAVER: Objection.

18 Ask a question.

19 THE WITNESS: Objection to the
20 question?

21 MS. WEAVER: Objection.

22 What's the question?

23 THE WITNESS: Oh.

24 MR. BAHRET: The question is why
25 didn't he tell the psychiatrist or

1 psychologist that his daughter allegedly
2 threatened to hang herself.

3 A She said it in an offhand manner. She said --

4 Q So you didn't believe it?

5 MS. WEAVER: Objection.

6 A I was concerned about her mental health.

7 Q If you were concerned, you would have told her
8 treating psychiatrist or psychologist, wouldn't
9 you?

10 MS. WEAVER: Objection.

11 A I don't believe so. I don't know.

12 Q Okay. Did you have your daughter committed or
13 anything to get her in a mental institution to make
14 sure she doesn't hang herself?

15 A Once again, she said it in kind of an offhand
16 manner, and we thought she was getting better.

17 Q Did your daughter have any criminal record?

18 A No.

19 Q To your knowledge had she ever been involuntarily
20 committed to a mental institution?

21 A Yes.

22 Q When was that? Because I haven't seen any such
23 records.

24 A I believe Dr. Singh committed her to St. Charles.

25 Q You understand the difference between the patient

1 agreeing, accepting it or doing it involuntarily?

2 A I believe she was pink slipped.

3 Q Okay. Does that mean she didn't agree with it and
4 go voluntarily or don't you know?

5 A I don't know.

6 Q So do you have any evidence that she was ever
7 involuntarily committed to any mental institution?

8 MS. WEAVER: Objection, asked and
9 answered.

10 MR. BAHRET: I didn't get an answer.
11 It was asked all right.

12 A Well, one time the police came and the officer
13 denying the -- the policy kind of is at Sylvania
14 Township that -- he told me that they can't -- they
15 can't take someone away unless they're practically
16 rolling in their feces or really bonkers, okay?

17 Now, I -- my experience is -- well, okay.
18 I've had someone kind of go nuts in my office and
19 they took her right down to rescue, and then she
20 was admitted to Toledo Hospital.

21 Q Okay. I don't get what you're trying to tell me.

22 A I'm saying that I think the police could have been
23 a little more active. They could have pink slipped
24 her right -- well, they did because you asked me,
25 well, did she say that she was -- are you in fear

1 of something happening to you or is she going to
2 harm herself, and I said I think so.

3 I mean this is kind of new to me when the
4 police come to your office -- or to your house.

5 Q Okay.

6 A Yeah, and the next thing I know, she left.

7 Q Okay.

8 A But I'm not -- I'm not sure of the dates.

9 Q Are you even sure that it was involuntarily?

10 A Yes, I believe so.

11 Q So you believe that she was saying I'm not going
12 and they said yes, you are --

13 A Yes.

14 Q -- or something to that effect?

15 A Uh-huh.

16 Q You heard that conversation or you just assumed
17 that happened?

18 A Well, she left.

19 Q That's a different --

20 A They interviewed her separately.

21 Q So you didn't hear any such conversation as to
22 whether she agreed to go with them or whether she
23 was saying I'm not going and they had to force her?

24 A I really don't know, but maybe the record will
25 show that.

1 Q Okay. Are you aware of any court order committing
2 your daughter to a mental institution ever?

3 A No.

4 Q Are you aware of your daughter ever being accused
5 of domestic violence?

6 A Oh, yes.

7 Q Who accused her of domestic violence?

8 A Boyfriend when she was going on a trip up to
9 Hillsdale.

10 Q Were charges filed?

11 A I don't know if they were or not. He started to
12 get fresh, and she slapped him.

13 Q Is this the incident in the boat?

14 A Yeah.

15 Q Do you know what the actual charge was? Was it
16 assault? Assault is different than domestic
17 violence.

18 A I don't know. My wife went up and -- and an
19 attorney friend of hers went up, and they made a
20 day of it and did some shopping in Hillsdale, and
21 the judge dismissed the case. And then she got
22 her sunglasses back from her ex-boyfriend.

23 Q She got her what back?

24 A Her sunglasses.

25 Q Okay. So obviously she was not convicted of

1 anything much less domestic violence for that?

2 A I guess so. I don't know if it was domestic
3 violence or assault or whatever.

4 Q Well, if they dismissed the case, she wouldn't be
5 convicted of anything, right?

6 A I guess so. I picked her up. She was in jail
7 though. They did an alcohol test on her, and she
8 was sober.

9 Q Your daughter didn't have any felony record, did
10 she?

11 A No, she didn't.

12 Q She was never in the military?

13 A No.

14 Q Therefore, obviously never dishonorably
15 discharged?

16 A No.

17 Q She was a U.S. citizen?

18 A Yes.

19 Q Were you home when your daughter took her life?

20 A I was at the office -- I guess, I was, yeah. I
21 believe I was.

22 Q Okay.

23 A I'm not sure, but I believe -- I believe I was.
24 It didn't -- it didn't say a time of death.

25 Q Okay. So nobody's ever given you an estimate of

1 the time of death?

2 A No.

3 Q You started to say you were at the office. What
4 are your office hours?

5 A I went up to get something. It was my day off.

6 Q Okay. Are you full time?

7 A No, not now.

8 Q Generally how many hours a week do you work?

9 A Right now I'm not working any.

10 Q Why is it you're not working any? I thought one
11 of the first questions I asked you is if you're
12 working or retired.

13 A Well, I have a couple patients I'm finishing up.

14 Q Okay. Your plan, you're on the way out, you're
15 going to retire?

16 A I mean I have 50 years. Yes, I am.

17 Q I'm not saying you don't deserve it. I'm just
18 asking.

19 A Of course.

20 Q When did you last see Allison before her death?

21 A Oh, let's see, okay. Probably -- probably the 6th
22 of July. She came down to see my mother-in-law.
23 My mother-in-law was in the downstairs.

24 Q Okay. So do you know the date of death?

25 A Yes, it was July 8th.

1 Q So you last saw her roughly two days before she
2 died?

3 A Might have been.

4 Q Do you know where she was in the interim?

5 A She was on a trip with Larry -- Jerry Zohn.

6 Q My understanding is you were the one that
7 discovered her?

8 A That's correct.

9 Q What led up to that?

10 A She didn't get up. She was -- I saw her light on,
11 and it was around 3:00, I believe.

12 Q In the afternoon?

13 A Yeah. And she didn't get up from the morning.

14 Q Was her door locked?

15 A Yes.

16 Q How did you open it?

17 A I opened it with a hair pin. It's one of those,
18 you know, round push button things.

19 Q Did you know she was home?

20 A I knew she was home because her light was on.

21 Q Okay.

22 A I thought she just came in late. She wasn't
23 supposed to come in until the next day.

24 Q When you say the next day, you mean July 8th or
25 July 9th?

1 A Yes. It was unexpected she came home.

2 Q So they were going to be gone together for a
3 number of days?

4 A Two, I believe.

5 Q Did you have any understanding as to where they
6 were going or what they were doing?

7 A I think they were going to see a boat or
8 something.

9 Q Did you get the idea they were dating?

10 A No.

11 Q Did you hear anything as far as gunshots or
12 anything like that?

13 A I heard a noise faintly. My wife and I were in
14 bed. She's more of a sound sleeper than I was. I
15 thought I heard a -- I don't know if it was wind or
16 what, but I heard a bang, and then I heard a
17 (indicated).

18 Q So you heard a voice after the bang?

19 A I heard a grunt. And my mother-in-law who has
20 Alzheimer's kind of had a thing about running --
21 wandering around.

22 Q Was your mother-in-law still in the house at that
23 time?

24 A Oh, sure, she was downstairs. She was sleeping.

25 Q Okay.

1 A And we didn't get up. I didn't get up, and that's
2 when -- that's always been preying on me.

3 Q Well, obviously you understand at that point there
4 wasn't anything you could do anyway, right?

5 A Who knows.

6 Q Was your mother-in-law living with you at the time
7 or just staying with you for a few days or what?

8 A Well, my brother-in-law -- she used to live in
9 Indiana -- found her in the bathroom with urine and
10 everything. And he has a job, and he thought it
11 would be a good idea if we could take care of her
12 up there given her little spell. And Allison set
13 up a hospital bed for her, and she's been with us a
14 year now.

15 Excuse me.

16 MS. WEAVER: Do you want to take a
17 break?

18 THE WITNESS: I guess so.

19 MS. WEAVER: Okay.

20 MR. BAHRET: I'm going to get my
21 phone call in a second here anyway.

22 MS. WEAVER: Okay. Perfect.

23 (Recess taken.)

24

25

-- --

EXAMINATION

1
2 BY MR. JOHNSON:

3 Q Sir, my name is Lee Johnson. I represent Steve
4 Thompson to my left.

5 A Okay.

6 Q The first thing I want to say is my sympathies and
7 condolences to you on the passing of your daughter
8 Allison.

9 A Thank you.

10 Q I'm not going to pick up where Attorney Bahret
11 left off, but I do have some of my own questions
12 for you --

13 A Okay.

14 Q -- and I'm going to start it like this.

15 It's our understanding that you and Allison
16 would have frequent altercations in the home,
17 arguments; is that accurate?

18 A It is probably in the past year or it's when she
19 got kind of funny with the -- with the MS, she had
20 a lot pain. She was high-spirited before then.
21 She was her own person.

22 Q Okay.

23 A I mean, never -- but, okay. Yeah, she threatened
24 me a couple times with revoking my license, calling
25 the state board, nonsensical stuff. I think she

1 was hurting pretty bad.

2 Q The police were called on about five occasions
3 according to your wife; is that accurate?

4 A I believe so, yeah.

5 Q Who would call the police?

6 A Sometimes she did.

7 Q What was she alleging when the police would
8 arrive? What did she allege that you did, if
9 anything?

10 A I can't remember. It was kind of -- I think she
11 didn't feel safe at home for some reason. I don't
12 know.

13 Q During any time that you were having an
14 altercation with Allison, was anybody ever
15 arrested?

16 A No.

17 Q Did you say that you're receiving or have received
18 electroshock? Is that what you said?

19 A Yes.

20 Q What does that mean?

21 A Well, that means I was depressed when she died. I
22 was fine up to the funeral, went to the funeral, I
23 was fine, it just hit me two months later.

24 Q So you're using the term electroshock to be
25 synonymous with depression or is there a procedure

1 for electroshock?

2 A Oh, yes, ECM therapy. It was recommended by my
3 psychiatrist Dr. Gupta. I don't know. I -- I was
4 pretty depressed.

5 Q I appreciate that. I'm clear on the depression.
6 I can understand that. Electroshock is a therapy,
7 correct?

8 A Yes.

9 Q Did you receive the therapy of electroshock?

10 A Yes.

11 Q How many times?

12 A I believe 11.

13 Q 11?

14 A Yeah, while I was in the hospital over at Flower.

15 Q The electroshock was administered by what doctor?

16 A Gosh, I -- he was an Indian fellow. Began with
17 a -- last name with an A.

18 Q Dr. Atallah?

19 A I don't know.

20 Q Okay. Did you consent to receiving electroshock?

21 A Oh, sure.

22 Q What are the effects that it has had on you?

23 A Well, my memory isn't the greatest. Well, it's
24 not -- it's okay, but I noticed a difference.

25 Q So memory is a byproduct of the electroshock, loss

1 of memory, is that your opinion?

2 A I guess, it could be.

3 Q I'm just asking if that's your opinion. I'm not
4 asking if it is or it isn't. I don't want you to
5 make a medical diagnosis. Do you believe as a
6 result of having electroshock 11 times that your
7 memory is now worse?

8 A Well, I can recall things a long time ago.

9 Q Do you believe you have dementia?

10 A No.

11 Q Do you believe that your short-term memory has
12 been affected by the electroshock?

13 A I believe it has a little bit.

14 Q Have you ever seen your daughter's medical
15 records?

16 A No.

17 Q If I told you that your daughter in medical
18 records called you abusive, would that surprise
19 you?

20 A I heard that she called me abusive.

21 Q Do you believe that you were ever abusive to
22 Allison?

23 A No.

24 Q Did you ever put Allison up against the wall?

25 A I don't believe so.

1 Q Did you ever hit her?

2 A No.

3 Q Did you ever push her down the stairs?

4 A No.

5 Q Did you ever cause any physical harm to your
6 daughter Allison in her lifetime?

7 A No.

8 Q As a child, did you spank her?

9 A No.

10 Q How would you characterize your relationship with
11 your daughter prior to her death?

12 A Pretty darn good.

13 Q You don't think that you had any friction?

14 A Oh, we had some friction, like any kid, like any
15 daughter.

16 Q Do you ever recall instances where your wife would
17 have to get in between you and Allison because
18 arguments became heated?

19 A A little bit.

20 Q How many times did that happen?

21 A I don't know. Maybe -- I can't really recall.
22 Might have been five, might have been ten.

23 Q Were you upset when you were arguing when these
24 situations would come up where your wife would have
25 to intervene? Would that upset you?

1 A Yeah, it did.

2 Q What were you upset about?

3 A Well, she was making -- she -- well, first of all,
4 she told my wife she never worked, which is really
5 crazy. She -- I had a grinding episode, so I had a
6 couple chipped teeth in the front -- or a chipped
7 tooth. What else? I didn't have a Bachelor's
8 degree. That didn't bother me.

9 Usually it was when I was watching 6:00 --
10 6:30 news. You know, I just didn't want to hear it
11 anymore because it was a constant -- you know,
12 she'd come down and kind of yell or kind of get
13 kind of -- this is when she -- happened within the
14 past year or so with the stuff. She couldn't
15 sleep.

16 Q Allison couldn't sleep?

17 A Huh-uh.

18 Q No?

19 A She had trouble sleeping.

20 Q Did that bother you?

21 A No.

22 Q She was a 37 year old female living with mom and
23 dad at home with no job towards the latter part of
24 her life, correct?

25 A That's correct.

1 Q Did that bother you?

2 A No.

3 Q Did it bother you that she was taking a two-day
4 trip with Jerry Zohn?

5 A Not at all.

6 Q Did you trust Jerry Zohn?

7 A Yeah, I did.

8 Q Do you believe that Allison trusted Jerry Zohn?

9 A I believe so.

10 Q How did your daughter die?

11 A She shot herself in the right temple.

12 Q How did that happen, if you know?

13 A I don't know. I just saw her on the bed.

14 Q What did you see?

15 A I saw a gun laying by her thigh, her legs drape --
16 draped over her bed, and a peaceful look on her
17 face.

18 Q Who do you blame for your daughter's death?

19 A Who do I blame? I don't believe I blame anybody.

20 Q Why did you institute this lawsuit?

21 A Because of a straw purchase, and I think it should
22 have been spotted.

23 Q What evidence do you have to support your
24 allegation?

25 MS. WEAVER: Objection.

1 You can answer, if you know.

2 THE WITNESS: Pardon?

3 MS. WEAVER: You can answer, if you
4 know.

5 A How to support the allegation straw purchase?

6 Q What evidence do you have to support a straw
7 purchase?

8 A That Jerry was convicted.

9 Q So what you're telling me is that Jerry Zohn was
10 convicted of purchasing a weapon on behalf of your
11 daughter? Is that your belief?

12 A Yes.

13 Q Did you ever ask Jerry Zohn what happened or why
14 he gave Allison the gun?

15 A No.

16 Q Why not?

17 A Can't get ahold of him.

18 Q You read his deposition. We got ahold of him, we
19 talked to him, correct?

20 MS. WEAVER: Objection.

21 Q You read the deposition, correct?

22 A I read the deposition?

23 Q Yes. True?

24 A I did read the deposition.

25 Q Did you read the deposition portion where I

1 questioned Jerry Zohn?

2 A I believe you were the last one, but I can't
3 remember what was in there.

4 Q I believe you're right. Do you recall the
5 question that I asked Jerry Zohn where I said what
6 did you do, if anything, to alert anyone that
7 anyone other than yourself, Jerry Zohn, was the
8 actual purchaser of the firearm from ADCO.

9 Do you remember that question?

10 A No.

11 Q Jerry Zohn said nothing.

12 So my question to you is if Jerry Zohn said
13 under oath that he didn't do anything to alert
14 anybody that other than he was the purchaser, what
15 did ADCO or Steve Thompson do wrong?

16 MS. WEAVER: Objection,
17 mischaracterizes the full testimony and --

18 MR. BAHRET: I understand the
19 objection.

20 MS. WEAVER: -- he made other
21 comments.

22 A Well, let's see, Jerry Zohn has Parkinson's. So I
23 think a few more questions could have been asked.

24 Q What questions are you referencing?

25 A What is -- what is a don't lie from the other guy.

1 Q What is what, sir?

2 A What -- don't lie for the other guy. It's a
3 national team sports thing.

4 Q Where did you come up with that one?

5 A Oh, I did a lot of searching on the internet.

6 Q The internet is your source of the basis for the
7 lawsuit against --

8 A No.

9 Q -- Steve Thompson and ADCO?

10 MS. WEAVER: Objection.

11 A No, no.

12 Q Did you go to the law firm of Gallon & Takacs?

13 A Yes.

14 Q For the purpose of bringing a civil suit against
15 Jerry Zohn?

16 A Yes, I did.

17 Q So how did we go from wanting to sue Jerry Zohn to
18 your current firm and suing Steve and ADCO? How
19 did that morph?

20 A Because --

21 MS. WEAVER: Objection.

22 THE WITNESS: Okay. Should I answer
23 it?

24 MS. WEAVER: Yes. I don't want you
25 to reveal privileged conversations, but

1 you can explain otherwise.

2 THE WITNESS: What I think about this?

3 Okay.

4 MS. WEAVER: Well, I think the
5 question was -- maybe you want to repeat
6 or restate the question.

7 A Yeah, if you could, rephrase it, sir.

8 MS. WEAVER: Or restate the question.

9 THE WITNESS: Yeah.

10 (Said question read back.)

11 A I think it just -- I think he could have been a
12 little more careful about picking up the straw
13 purchase.

14 Q You're using slang terms. You're telling me what
15 you think in your head, and I appreciate that
16 because you're the one that's giving the answers.

17 A Uh-huh.

18 Q You're aware of the federal form that any
19 purchaser of a firearm has to fill out, correct?

20 A I do -- I do now.

21 Q Who made you aware of that?

22 A Well, I started doing a little research on the
23 internet. I also learned quite a bit about MS too.

24 Q Okay. I don't understand you bringing in MS.
25 Let's stay on the purchaser part.

1 You're familiar that Jerry Zohn admitted lying
2 to the ADCO personnel --

3 A Uh-huh.

4 Q -- about his answers on the federal form to
5 purchase the firearm, correct?

6 A Yes, he admitted to it. I was -- I was in court.

7 Q You're also familiar with the fact that Jerry Zohn
8 has indicated through his testimony that he gave no
9 indication to anyone that he was anything less than
10 the rightful purchaser of the firearm, correct?

11 MS. WEAVER: Same objection regarding
12 the testimony.

13 THE WITNESS: Do I answer that?

14 Q Yes, you should.

15 You're aware -- are you aware of that, yes or
16 no? That's the question.

17 A That he was -- well, I know he lied on the form.

18 Q Okay. Then the second piece of that is Jerry has
19 been deposed. You said you read the deposition.
20 So my pointed question, you're somewhat vague about
21 what you know or don't know, I'm telling you as a
22 matter of fact that we asked Jerry Zohn under oath
23 did you give any indication to anyone that you were
24 anything less than the true purchaser, okay? Are
25 you aware of his answer or response?

1 MS. WEAVER: Same objection,
2 mischaracterizes testimony.

3 Q Are you aware of it, his response to that
4 question?

5 A I'd have to see it again.

6 Q Are you aware of his response, yes or no?

7 A If you tell me it is.

8 Q I already told you.

9 A Okay.

10 Q Does that ring a bell to you?

11 A Not really.

12 Q Okay. How did you morph from wanting to sue Jerry
13 to suing ADCO? How did that morph?

14 A How did that happen? Well, how did he get the
15 gun -- how did she get the gun?

16 Q Sir, you're not answering my question. You
17 brought a lawsuit against my client --

18 A Yes.

19 Q -- and Mr. Bahret's client. I want to know how
20 you went from suing the person who gave your
21 daughter the gun to suing the store that sold Jerry
22 the gun, who lied about his true intent and
23 purchase? How did you do that? How did that
24 morph?

25 MS. WEAVER: Objection, legal and

1 calls for a privileged communication.

2 Q I don't want to know anything about privilege. I
3 want to know how that happened. How did you do
4 that?

5 MS. WEAVER: You can answer without
6 any privileged --

7 Q You went to Gallon & Takacs to sue Jerry Zohn.
8 Now why are we here?

9 A Well, she got the gun somewhere.

10 Q We know where she got the gun.

11 Do you understand my question?

12 A Yeah, I understand the question.

13 Q Why aren't you answering my question?

14 MS. WEAVER: I think he is answering
15 it.

16 A I am answering your question.

17 Q The answer is what?

18 A How did it morph from Jerry Zohn to ADCO? And I
19 just don't believe that they were careful enough to
20 pick up the lie of Larry Zohn -- of Jerry Zohn.

21 Q You have no evidence to support that belief,
22 correct?

23 A I wasn't there.

24 Q I know that. I asked if you have any evidence.

25 A Well, I think the thing speaks for itself. I

1 think --

2 Q What speaks for itself?

3 A Well, isn't it state loquitur or something or
4 whatever thing -- legal term.

5 Q You think this is a res ipsa loquitur case? Do
6 you know what that means?

7 MS. WEAVER: Objection.

8 MR. JOHNSON: Well, I'm sorry. He
9 said it.

10 Q Do you want to talk to me about res ipsa loquitur,
11 sir?

12 MS. WEAVER: Objection.

13 Don't answer.

14 Q No. I want to know if you want to talk to me
15 about it? Do you want to tell me about res ipsa?

16 A I'll talk to you about it in a general sense, but
17 I'd like a history.

18 Q We're not talking about your dental practice, sir.

19 My job is to learn about what you know and
20 what you're alleging against ADCO and Steve
21 Thompson, and I don't think I'm learning anything
22 about it other than you have a belief that the shop
23 should have been more careful in selling to Jerry
24 who lied on a federal form. Do I have that about
25 right?

1 A You have it about right.

2 Q Do you want to add anything to that that might
3 bolster your argument?

4 MS. WEAVER: Objection to the extent
5 that this calls for a legal conclusion.

6 Q I don't want any legal conclusions. I don't want
7 to hear anything about res ipsa. I just want to
8 hear your belief of what ADCO or Steve Thompson did
9 wrong.

10 A Well, a 37 year old woman, a 77 year old guy, it
11 also says that she handled the gun in the
12 deposition, and he bought it. He bought the gun,
13 she handled it. Why would she handle it if he was
14 the purchaser?

15 Q Are you just speculating with me or is that your
16 response?

17 A That's what I read in deposition.

18 Q I don't care what you read. I just want to know
19 what your belief is.

20 MS. WEAVER: But you asked him
21 whether he had evidence, and he's giving
22 you the evidence that he has.

23 A I'm giving you the evidence.

24 Q The deposition is your evidence post case.

25 My question to you is how did this thing morph

1 from you going to Gallon & Takacs to now using your
2 current firm and suing Steve and ADCO? Obviously
3 you didn't know any of that before this case was
4 commenced. How did you go from wanting to sue
5 Jerry to suing ADCO? That's my question.

6 A Other than learning about discovery here, I
7 discovered some things by learning about the
8 deposition.

9 Q You're totally missing the point. You're being
10 nonresponsive to my question. All of these are
11 post you instituting a lawsuit, meaning after. I
12 assume you know that. So I assume you're just
13 jostling with me, and you don't want to answer my
14 question, correct, or do you have nothing to say?

15 A I probably don't have anything to say to it.

16 MR. JOHNSON: I have nothing else.

17 Thank you for answering my questions.

18 THE WITNESS: That's good.

19 MR. BAHRET: I have no follow-up.

20 MS. WEAVER: He'll read.

21 (Deposition concluded at 4:28 p.m.)

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PAUL ROEBKE

Paul Roebke
January 19, 2023

1 C E R T I F I C A T E

2 STATE OF OHIO)
) SS.
3 COUNTY OF LUCAS)

4 I, Mary K. Tammarine, RPR, Notary Public
5 for the State of Ohio, do hereby certify that
6 PAUL ROEBKE was first duly sworn; that the testimony
7 given was reduced to stenotype; that the foregoing is a
8 true and correct transcript of the testimony so given;
9 that this deposition was taken at the time and place in
10 the foregoing caption specified.

11 I do further certify that I am not a relative,
12 employee, or attorney of any of the parties or counsel
13 employed by the parties hereto or financially
14 interested in this action, nor am I or the court
15 reporting firm with which I am affiliated under a
16 contract as defined in Civil Rule 28(D).

17 IN WITNESS WHEREOF, I have hereunto set my
18 hand and affixed my notarial seal of office at Toledo,
19 Ohio, this 18th day of February, 2023.

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Mary K. Tammarine
MARY K. TAMMARINE, RPR
Notary Public in and for the
State of Ohio

My Commission expires September 16, 2023