

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA
File No.: 1:19-CV-00272-LCB

MAXWELL KADEL,
Plaintiff,

v.

JASON FLECK, *et al.*,
Defendants.

**NCDPS’
PRETRIAL DISCLOSURES**

NOW COMES Defendant North Carolina Department of Public Safety (“NCDPS”), by and through Undersigned Counsel, pursuant to Rule 26 of the Federal Rules of Civil Procedure, and hereby submit the following pretrial disclosures:

1. Pursuant to Rule 26(a)(3)(A)(i), NCDPS identifies the following witnesses that NCDPS expects to call to testify at trial:

- a. Becki Johnson
- b. George Wayne Goodwin
- c. Dee Jones
- d. Dale Folwell

2. Pursuant to Rule 26(a)(3)(A)(i), NCDPS identifies the following witnesses that NCDPS may call to testify at trial, if the need arises:

- a. Dr. Patrick Lappert
- b. Dr. Stephen Levine
- c. Dr. Paul McHugh
- d. Dr. Paul Hruz
- e. Any and all witnesses identified by Plaintiff or co-Defendants
- f. Records custodians
- g. Any witness necessary for rebuttal

3. Pursuant to Rule 26(a)(3)(A)(ii), NCDPS may present by deposition, a transcript of the pertinent parts of the deposition of the following witnesses:

- a. Dana Caraway
- b. Dr. Jamison Green
- c. Dr. George Brown
- d. Dr. Loren S. Schechter
- e. Dr. Dan Karasic
- f. Dr. Johnanna Olson-Kennedy

4. Pursuant to Rule 26(a)(3)(A)(iii), NCDPS identifies the following documents that may be offered as exhibits at trial:

- a. First Amended Complaint (DE-75)

- b. NCDPS Answer to First Amended Complaint (DE-96)
- c. NCDPS' Responses to Plaintiffs' First Set of Interrogatories
- d. Plaintiffs' Responses to NCDPS' First Set of Interrogatories, First Request for Admissions, and First Request for Production of Documents;
- e. N.C. Gen. Stat. §§ 135-1 through 135-151
- f. N.C. Gen. Stat. § 143B-601
- g. 2021 Employee Benefits Booklets
- h. Minutes of December 1-2, 2016 Board Meeting
- i. Advisory Opinion of the N.C. Attorney General, Nov. 2, 1995
- j. Advisory Opinion of the N.C. Attorney General, Oct. 3, 2001
- k. Advisory Opinion of the N.C. Attorney General, March 26, 2002
- l. Dr. Jamison Green's expert witness designation, report, curriculum vitae, accompanying documents, and reliance materials disclosed by Plaintiff;
- m. George Wayne Goodwin's expert witness designation, report, curriculum vitae, accompanying documents, and reliance materials disclosed by NCDPS.

- n. Dr. Patrick Lappert's expert witness designation, report, curriculum vitae, accompanying documents, and reliance materials disclosed by Defendants.
- o. Dr. Stephen Levine's expert witness designation, report, curriculum vitae, accompanying documents, and reliance materials disclosed by Defendants.
- p. Dr. Paul McHugh's expert witness designation, report, curriculum vitae, accompanying documents, and reliance materials disclosed by Defendants.
- q. Dr. Paul Hruz's expert witness designation, report, curriculum vitae, accompanying documents, and reliance materials disclosed by Defendants.
- r. Exhibits identified and marked from the Deposition of Dana Caraway
- s. Exhibits identified and marked from the Rule 30(b)(6) Deposition of NCDPS
- t. Documentation produced in discovery showing the medical records and invoices for medical care for Dana Caraway

- u. Documentation produced in discovery regarding the NCDPS personnel file for Dana Caraway
- v. All discovery exchanged in this matter, including any documents produced by third parties
- w. Any exhibits listed in Plaintiff's Pretrial Disclosures or co-Defendants' Pretrial Disclosures.
- x. Any document necessary for impeachment or rebuttal.

Respectfully submitted this the 3rd day of June, 2022.

JOSHUA H. STEIN
Attorney General

/s/ Alex R. Williams

Alex R. Williams (N.C.S.B. No.
41679)
Special Deputy Attorney General
N.C. Department of Justice
Public Safety Section
P.O. Box 629
Raleigh, North Carolina 27699-9001
Telephone: 919-716-6528
Facsimile: 919-716-6761
awilliams@ncdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, which will provide electronic notice to all counsel of record.

This the 3rd day of June, 2022.

/s/ Alex R. Williams

Alex R. Williams
Special Deputy Attorney General