

## **EXHIBIT 5**



Alex Shepard <ajs@randazza.com>

## Call from Dr. Parisi

**Marc Randazza** <mjr@randazza.com>  
To: "Paul Berger Esq." <legal5@rocalabs.com>  
Bcc: rglv@randazza.com

Fri, May 22, 2015 at 4:52 PM

Paul,

I got a call from Dr. Parisi, in a quite agitated state. He reported that you informed him that what he was doing as far as pricing on his testimony was "illegal" and that he needs separate counsel.

Can you explain your position, and whether this is true?

He's agitated to a point that I gather he is considering withdrawing from participating in the case.

Naturally, I find any efforts to try and coerce him to drop out of the case to be questionable from an ethical standpoint. In light of your prior efforts to intimidate fact witnesses, I find this to be of greater concern.

Can you explain what your purpose was in calling him? I was under the impression that you were going to try and negotiate a lower testimony fee from him. And, to be honest, I was hoping that you would succeed -- since I was not looking forward to paying him \$3,000 per half day when he testifies for us at trial. Strangely enough, I found our interests to be aligned, and hoped you would be successful.

But, I did not anticipate that your efforts would be geared toward pushing him off the case altogether.

If that happens, I think that it would be proper for us to seek the right to seek an expert that you did *not* have such an influence upon - and despite it being past the deadline to name new experts, this would be a valid reason to be relieved from that date - and we would then designate a new medical expert (since you may have frightened our existing expert away from involvement in the case).

Please provide me with:

1. Your version of the story of your call with him
2. Your position regarding us designating a new expert, if Parisi is no longer willing to testify.

---

**Marc John Randazza, JD, MAMC, LLM\* | Randazza Legal Group**

3625 South Town Center Drive | Las Vegas, NV 89135

Tel: 702-420-2001 | Email: [mjr@randazza.com](mailto:mjr@randazza.com)

Firm Offices - [Las Vegas](#) | Philadelphia | San Francisco | [Miami](#)

---

\* Licensed to practice law in Arizona, California, Florida, Massachusetts, and Nevada.

--

You received this message because you are subscribed to the Google Groups "RLG Las Vegas" group.  
To unsubscribe from this group and stop receiving emails from it, send an email to [rglv+unsubscribe@randazza.com](mailto:rglv+unsubscribe@randazza.com).  
For more options, visit <https://groups.google.com/a/randazza.com/d/optout>.

