

IN THE CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND

COMMISSION FOR LAWYER
DISCIPLINE,

Plaintiff,

vs.

TY CLEVINGER,

Defendant

Case No. 29143M

AFFIDAVIT OF TY CLEVINGER

My name is Ty Clevenger, I am greater than 18 years of age and competent to testify, and I do testify as follows under penalty of perjury, as witnessed by my signature below:

1. I am the Defendant in the case listed above.
2. On or about September 15, 2013, Stanley L. Slater, M.D. contacted me by telephone regarding a subpoena duces tecum from the case listed above that had been served on him. He asked why I needed his testimony, and I explained that I had reason to believe that his patient, William C. Cartinhour, Jr., was a paranoid schizophrenic, and that such information had been concealed from my client, Wade Robertson. During the conversation, Dr. Slater openly acknowledged that Mr. Cartinhour had been diagnosed with paranoid schizophrenia. Because of scheduling conflicts, we agreed to postpone Dr. Slater's deposition until a mutually agreeable date.
3. On September 16, 2014, I faxed a letter to Dr. Slater outlining our agreement to postpone his deposition. A true and correct copy of that letter is attached as Exhibit 2.
4. Dr. Slater did not sign the September 16, 2014 letter immediately, but he signed and returned it to the Defendant on or about November 20, 2013. A true and correct copy of the letter signed by Dr. Slater is attached as Exhibit 3.
5. The deposition was further delayed during the holidays, and thereafter the Defendant was contacted by Wade Robertson, the Defendant's client in *Robertson I*, about scheduling his deposition of Dr. Slater in conjunction with my deposition of Dr. Slater. I agreed that it was better for everyone involved if Dr. Slater was

deposed only once rather than twice, so Mr. Robertson and I chose various potential deposition dates that were mutually agreeable.

6. On or about January 25, 2013, Dr. Slater called and told me that he had been served with a deposition notice from Mr. Robertson, and that he (Dr. Slater) wanted to confirm that my deposition and Mr. Robertson's depositions would be conducted concurrently. I told him that we had indeed agreed to conduct the deposition concurrently, and Dr. Slater said that he preferred to conduct the deposition that way. During that conversation, Dr. Slater informed me that he had two documents that were responsive to the subpoena, which he described as letters from attorneys regarding Dr. Slater's psychiatric treatment. Dr. Slater again discussed the fact that Mr. Cartinhour had been diagnosed with paranoid schizophrenia.
7. On a Sunday afternoon, February 2, 2014, the day before Dr. Slater's scheduled deposition, Dr. Slater called and informed me that he had decided he would not appear at the deposition or testify. On February 3, 2014, I sent a letter to Dr. Slater warning him of the seriousness of his defiance of the subpoena. A true and correct copy of that subpoena is attached as Exhibit 6.

THE AFFIANT SAYS NOTHING FURTHER.

COPY

Ty Clevenger
1095 Meadow Hill Drive
Lavon, Texas 75166

On February 18, 2014, Ty Clevenger personally appeared before me and attested under oath that the foregoing affidavit is true and correct, based on his own personal knowledge, as witnessed by my signature and seal below.

COPY

NOTARY PUBLIC
State of Texas