EXHIBIT 9

JONATHAN M. RUSSELL December 7, 2011

| | Page 5 | | Page 7 currently employed? |
|--|--|--|--|
| 1 2 | TABLE OF CONTENTS | 2 | A. At Memorial Medical Center. |
| 3 | WITNESS PAGE | 3 | Q. How long have you been employed in that capacity? |
| 4 | JONATHAN M. RUSSELL | 4 | A. In the ER for about two years. |
| 5 | JONATHAN III. ROSSELL | 5 | Q. About two years. Do you know off the top of your head |
| 6 | EXAMINATION BY MR. KOLKEMA: 6 | 6 | your date of hire? |
| 7 | EXAMINATION BY MR. VANDER LAAN: 22 | 7 | |
| 8 | EXAMINATION BY MR. FAHLSING: 24 | 8 | Q. The records indicate you were there July 20, 2009? |
| 9 | RE-EXAMINATION BY MR. KOLKEMA: 37 | وا | A. Uh-huh. |
| 10 | RE-EXAMINATION BY MR. VANDER LAAN: 40 | 10 | |
| 11 | RE-EXAMINATION BY MR. FAHLSING: 41 | 11 | · - |
| 12 | The Estimated Street File Particulation 11 | 12 | during the summer |
| 13 | EXHIBITS | 13 | Q. Okay. |
| 14 | DA 133113 | 14 | A of the following year. |
| 15 | EXHIBIT PAGE | 15 | Q. Okay. Well okay. But you were in any event, |
| 16 | (Exhibit attached to transcript.) | 16 | you were working in the ER on July 20th? |
| 17 | (manufaction to dalloutper) | 17 | A. Yes. |
| 18 | DEPOSITION EXHIBIT 1 43 | 18 | Q. What are your duties and responsibilities as a nursing |
| 19 | DEI OOTTEOIT ENTEDTT 1 | 19 | assistant? |
| 20 | | 20 | A. Take vitals and kind of do some of the things the |
| 21 | , | 21 | nurses ask me to. |
| 22 | | 22 | Q. Such as? |
| 23 | | 23 | A. Take urinals away from patients, assist them to |
| 24 | | 24 | commodes, clean, and stock. |
| 25 | | 25 | Q. Say that again? |
| | | | · · · · · · · · · · · · · · · · · · · |
| | | 1 | |
| | Page 6 | | Page 8 |
| 1 | Ludington, Michigan | 1 | A. Clean and stock rooms after a patient leaves. |
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JONATHAN M. RUSSELL December 7, 2011

| | | • | | | |
|--|----------------------------|---|---|----------------------------|--|
| , | | Page 9 | | | Page 11 |
| 1 | | Involved? | 1 | Q. | What was it? |
| 2 | A. | You mean | 2 | A. | Well, they I think per protocol, they have to bring |
| 3 | | MR. KILBANE: I think what he's asking you | 3 | | a patient in or a person in when they Tase them, |
| 4 | | is, do you remember anything other than what's in the | 4 | | just for medical clearance. |
| 5 | | medical record? I think. | 5 | Q. | Okay. And they, being the police officers? |
| 6 | | MR. KOLKEMA: Sure. Yeah. Much better. | 6 | A. | Yeah. |
| 7 | | THE WITNESS: No, not really. No. | 7 | Q. | Did you know — I think I asked you whether you knew |
| 8 | BY | MR. KOLKEMA: | 8 | | Mr. McAdam's before this incident. |
| 9 | Q. | Okay. From the medical records, what's the the | 9 | A. | Yeah. Yeah, I don't I mean, no, I didn't know him. |
| 10 | | first time that you had any involvement in this | 10 | Q. | How about any of the officers that brought him in? |
| 11 | | matter, it's my understanding, is 1:12, is it? | 11 | À. | I mean, I don't remember. If I saw their face, I |
| 12 | A. | Can you say that one more time? I'm sorry. | 12 | | might recognize them, but I don't |
| 13 | Q. | The first time you had any involvement, this record | 13 | Q. | Are you familiar with Oscar Davila? I guess he's a |
| 14 | | indicates that it was 1:12, I guess, right there. Do | 14 | | deputy. |
| 15 | | you see on page you're looking at page 6 page 6 | 15 | A. | Uh-huh. Yeah, I know Oscar. |
| 16 | | of Deposition Exhibit 1 from Holly Luft's deposition. | 16 | Q. | How do you know him outside of — |
| 17 | | But that reflects 1:12, correct? | 17 | A. | Just just in the ER I've seen him. |
| 18 | A. | Right. | 18 | Q. | You don't go to the same church or anything of that |
| 19 | Q. | What exactly you completed this section, at least | 19 | | nature? |
| 20 | | those those parts that are in bold on the | 20 | A. | Huh-uh. |
| 21 | A. | Yeah. | 21 | Q. | How about Derek Wilson? |
| 22 | Q. | right-hand side? | 22 | A. | Yeah, just through the ER. |
| 23 | A. | Yeah. I took a set of vitals on him. | 23 | Q. | How about Dep or former Deputy or former Police |
| 24 | Q. | Okay. Do you recall doing anything other than that? | 24 | | Officer Warmuskerken? |
| 25 | A. | No. I just I mean, did a blood pressure and or | 25 | A. | I don't I mean, I guess if I saw his face, I would |
| <u> </u> | | | - | - | |
| 1 | | Page 10 | | | Page 12 |
| 1 | _ | an automatic one. | | _ | recognize him, but I don't know him. |
| 2 | Q. | Any idea as to how long that would have taken you to | 2 | Q. | Okay. Did you have any occasion to view his wounds, I |
| 3 | | do? | 3 | | guess? |
| 4 | A. | Probably less than less than a minute, I would | 4 | | I don't remember seeing him. |
| 5 | | think. I mean, all I do is you hook the cuff up to | 5 | Ų. | Okay. According to these records, you would have seen |
| 6 | | him and that's pretty much it. | 6 | | him after the wound was dressed, I guess. Does that |
| 7 | • | Okay. Do you recall what his demeanor was? | 7 | _ | ring a bell? |
| 8 | A. | I just know that he was you know, I don't know. I | 8 | A. | You know, I I don't remember. I guess no, I |
| 9 | _ | don't really I don't really remember, no. | 9 | _ | don't remember what time |
| 10 | Q. | Okay. Earlier on in that report, there's a reference | 10 | _ | Okay. |
| 11 | | to him being, you know, angry, uncooperative, agitated | 11 | | the wound was dressed. |
| 12 | | or something like something of that nature. I | 12 | Ų. | You have a reference on here, under oxygen and |
| 13 | | think it's on like page 2 or 3 of that Exhibit 1. | 13 | | saturation, to finger probe. |
| 14 | A. | Uh-huh. | 14 | | Uh-huh. |
| 15 | _ | | l 15 | U. | What does that relate to? |
| . 16 | Q. | Do you have any recollection as to whether that was | | | |
| 16 | • | the case? | .16 | A. | The amount of oxygen muscles can get. And the finger |
| 17 | • | the case? I mean, when he came in, he was pretty pretty | .16 17 | | The amount of oxygen muscles can get. And the finger probe is the pulse ox that you put on your finger |
| 17 18 | A. | the case? I mean, when he came in, he was pretty pretty aggressive and | .16 17 18 | Q. | The amount of oxygen muscles can get. And the finger probe is the pulse ox that you put on your finger Okay. |
| 17 18 19 | A. | the case? I mean, when he came in, he was pretty pretty aggressive and What exactly why do you say that? What was he | .16 17 18 19 | Q. A. | The amount of oxygen muscles can get. And the finger probe is the pulse ox that you put on your finger Okay to test that. |
| 17 18 19 20 | A. Q. | the case? I mean, when he came in, he was pretty pretty aggressive and What exactly why do you say that? What was he doing? | .16 17 18 19 20 | Q. A. | The amount of oxygen muscles can get. And the finger probe is the pulse ox that you put on your finger Okay. to test that. Do you have any recollection as to whether Mr. McAdam |
| 17 18 19 20 21 | A. Q. A. | the case? I mean, when he came in, he was pretty pretty aggressive and What exactly why do you say that? What was he doing? He was just raising his voice, yelling. | 16 17 18 19 20 21 | Q. A. | The amount of oxygen muscles can get. And the finger probe is the pulse ox that you put on your finger Okay to test that. Do you have any recollection as to whether Mr. McAdam was whether a Taser was deployed in the hospital |
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| Page 13 1 at the very end, and then he was Tased. 2 Q. Okay. Anything else? 3 A. No. 4 Q. What was he doing prior to that? 5 A. I don't remember. 6 Q. Do you recall five he do'- if he was complaining about an iPhone? 7 an iPhone? 8 A. I think I recall something about a phone, but I don't remember the reasoning behind anything with it. I think the officars had it, but, you know, I'- 10 think the officars had it, but, you know, I'- 11 Q. Okay. How would you describe his behavior? 12 A. I fust remember him, you know, Ilke I said, at the beginning kind of behing, you know, aggressive and yelling, but - 15 Q. Okay. Who was he yelling at? 16 A. I don't remember. I think he was just - I don't know. 17 A. No. 18 Q. Was he yelling at you? 19 A. No. 20 Q. Was he yelling at the officers? 21 A. I don't know. I don't know who he was yelling at. 22 Q. Okay. Describe the room, if you can. 23 A. Like the layout of the layout of the layout of the layout of the room? 24 Q. Sure. 25 A. There's a cart in there and couple chairs, a monitor 26 A. Just tha officers. And I - I thought I think I remember seeling someone else in the room, but, you know, were there, was anybody else - do you recall anybody else being physically present? 26 A. Yaka, a curtain on each side and then a wall on the other. 27 Q. Okay. During this application of the Taser, while you know the outlet have been in there. 28 Q. This is a room with a curtain, essentially? 29 A. Yeah, a curtain on each side and then a wall on the other. 30 Q. Wake a curtain on each side and then a wall on the other. 31 Q. What eace you know, the St Driage assessment. And I know from the - you know, there's been some testimony about this whole from and the curtain. 31 A. Walk a ration on each side and then a wall on the other. 32 A. Yeah, I don't. I don't knew whether we wall and the curtain. 33 A. Walk the ration of the Ease was been in there. 34 A. Walk, I mean, you know, the St Driage assessment and history, general information, and, you know, wound 21 care, and then you come i | | | | | | |
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| an iPhone? A. I think Ir recail something about a phone, but I don't remember the reasoning behind anything with it. I think the officers had it, but, you know, I = 1 think the officers had it, but, you know, I = 1 think the officers had it, but, you know, I = 1 think the officers had it, but, you know, I ille I said, at the beginning kind of being, you know, aggressive and yelling, but = 1 think in was pincer in the beginning kind of being, you know, aggressive and yelling, but = 1 think he was just = I don't know for the member. I think he was just = I don't know. B. Q. Was he yelling at you? A. No. C. Was he yelling at the officers? A. I don't know. I don't know who he was yelling at. C. Q. Okay. Describe the room, if you can. A. Like the layout of the room? A. Like the layout of the room? A. Like the layout of the room? A. There's a cart in there and couple chairs, a monitor Page 14 for the bedside, cardiac monitor, blood pressure cuff, pulse ox. Q. Okay. During this application of the Taser, while you were there, was anybody else – do you recall anybody else being physically present? A. Yeah, 2 curtain on each side and then a wall on the other. Q. Tim tying to get a sense as to when this — when this Taser deployment cocured, if it was before or after 1:12. A. I mean, I was in the room before — I think before and then — "I was in the room before — I think before and then — "I was in the room before — I think before and then — "I was in the room before — I think before and then — "I was in the room before — I think before and then — "I was in the room before — I think before and then — "I was in the room before — I think before and then — "I was in the room before — I think before and then — "I was in the room before — I think before and then — "I was in the room before — I think before and then — "I was in the room before — I think I mean, because I probably would have been in there. Page 14 for the bedside, cardiac monitor, blood pressure cuff, pulse ox. Q. Chay, During this application | 5 | A. | I don't remember. | 5 | | guess, at least for the original condition in which he |
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| 24 A. Yeah. Yeah. They I mean, the generic 24 Q. Okay. What's your idea? | . // | | _ | | | |
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| 25 A. Well, I mean, you usually have the shooting the, you | 23 | A | - | - | | • |
| | 23 24 | A. | Yeah. Yeah. They I mean, the generic | 24 | Q. | Okay. What's your idea? |

