# EXHIBIT 1

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION

SPORT & WHEAT CPA PA, )
a Florida corporation, )
individually and on )
behalf of a class of )
similarly situated )
businesses and )
individuals, )
Plaintiffs, ) CIVIL ACTION NO:
VS. ) 3:20-CV-5425
SERVISFIRST BANK INC; )
SYNOVUS BANK; et al., )
Defendants. )

Deposition of Steve Adams
June 18, 2020
9:30 a.m.
At the offices of Butler Wooten & Peak
105 13th Street
Columbus, Georgia 31901

Court Reporter: Karen Hinch

document before you have the witness testify.

MR. PRATHER: Hey, Mr. Cash, why don't you go ahead and email them to us and I can print out copies and we'll have copies available here in the room with the witness?

MR. CASH: Well, I'm not going to do that because I don't know which exhibits I do and don't need to use, and I don't want to tip my hand on what the exhibits are before the time comes.

MR. BATES: Well, then we're at a stalemate. I'm entitled to see the documents before you ask the witness questions about them.

MR. CASH: All right. I don't agree. I mean, I'm happy to show you the two pages of this email. It's pretty uncontroversial. There's page one.

MR. BATES: I'm not going to take your word for whether it's controversial or not. It's already obvious you don't want to share the documents in advance.

MR. CASH: That's correct.

MR. BATES: So we'll do them one

Q Okay. Let me ask about cell phones. Does the bank issue cell phones to its employees to use?

A Generally, no. We have a bring-your-own-device policy.

Q Okay. Does the bank consider that text messages sent from cell phones in the course of doing business are actually bank records?

A I'm not sure when you say "does the bank consider." You know, that may be outside my realm of expertise to know what we consider communication. Yeah. I can't answer your question.

Q Well, when you say people bring their own device, are you saying that people in the bank are permitted to use their personal phones to text customers in the furtherance of company business? Is that allowed?

A No. We have a policy that communication with customers should not take place with text.

Q Okay. Nevertheless you're aware that it occurs, right?

A I can't speculate why she may not have been aware.
Q Should she have been aware of the policy on this date?
A Yes, she should have.
Q Okay.
MR. BATES: Let me interrupt. Mr. Cash, is this a redacted document?
MR. CASH: I'm going to produce more than what I'm showing, but I grayed out the areas that I'm just not interested in asking about to make it clearer to the witness what it is we are and aren't talking about.
MR. BATES: I object to you producing only a portion of the document you want to ask the witness a question about.
MR. CASH: Well, it's a stream of texts. So if the texts aren't relevant to the case, you would never get them.
MR. BATES: You know what? You're asking questions about particular portions of a conversation without having the entire conversation disclosed, and that is fundamentally not correct.

MR. CASH: Okay. All right. I'm going to go on with my questions.

MR. BATES: Again, I object to your producing part of a document to ask a witness questions where the witness doesn't have the opportunity to examine the context in which the comments are made.

MR. CASH: No. I disagree.

Q (By Mr. Cash) All right. I'm going switch to different texts at this point because she's referring to Larry, Larry Strain. Are you familiar with Larry Strain?

MR. BATES: Object. I don't see where it identifies Larry's last name.

Q (By Mr. Cash) Mr. Adams, are you familiar with Larry Strain?

A Yes.

MR. PRATHER: We need to take a break real quick.

MR. CASH: No. We just did take a break.

MR. PRATHER: Mr. Cash, we're taking a break. Okay? We're taking a break.