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 CH2M HILL CONSTRUCTORS, INC.

9  
 10 UNITED STATES DISTRICT COURT  
 11 EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION

13 LENNAR MARE ISLAND, LLC,  
 14 Plaintiff,

15 vs.

16 STEADFAST INSURANCE COMPANY,  
 and DOES 1 through 10,  
 17 Defendants.

18  
 19 AND RELATED COUNTER-CLAIMS  
 20 AND CROSS-CLAIMS

Case No. 2:12-cv-02182-KJM-KJN

Case No. 2:16-cv-00291-KJM-KJN

**STIPULATION AND ORDER  
 REGARDING THE DEPOSITIONS OF  
 CCI’S EXPERT JEFFREY ZELIKSON  
 AND THE UNITED STATES’ EXPERT  
 VALERIE LEE**

The Honorable Kimberly J. Mueller

Trial Date: October 16, 2017

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 22 IT IS HEREBY STIPULATED and agreed by and between the UNITED STATES,  
 23 LENNAR MARE ISLAND, LLC (“LMI”), CH2M HILL CONSTRUCTORS, INC. (“CCI”), and  
 24 STEADFAST INSURANCE COMPANY (“STEADFAST”), and subject to approval by the  
 25 Court, as follows:

26 1. Whereas, CCI has designated Jeffrey Zelikson as an expert to testify at trial in this  
 27 matter, and has filed and served his expert report; and

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1           2.       Whereas, Mr. Zelikson was required to undergo unplanned emergency open-heart  
2 surgery on April 16, 2017; and

3           3.       Whereas, Mr. Zelikson is recuperating and is currently expected to make a full  
4 recovery, but will not be sufficiently recovered to sit for his deposition by the June 12, 2017 expert  
5 discovery deadline;

6           4.       Whereas, allowing Mr. Zelikson to be deposed after June 12, 2017 will not affect  
7 the October 16, 2017 trial date;

8           5.       Whereas, the United States has designated Valerie Lee as an expert to testify at trial  
9 in this matter, and has filed and served her expert report; and

10          6.       Whereas, Ms. Lee suffered an unexpected leg injury and is severely restricted in  
11 her ability to travel;

12          7.       Whereas, Ms. Lee is recuperating and is expected to make a full recovery, but will  
13 not be sufficiently recovered to sit for her deposition in San Francisco by the June 12, 2017 expert  
14 discovery deadline;

15          8.       Now, therefore, subject to the approval of the Court which is requested hereby, the  
16 Parties stipulate and agree that Mr. Zelikson will be deposed in San Francisco, California, during  
17 the week of August 7, 2017, on a date to be mutually agreed upon by the parties; and that Ms. Lee  
18 will be deposed on June 23, 2017 in San Francisco, California.

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**IT IS SO STIPULATED**

Dated: May 15, 2017

PENNINGTON LAWSON LLP

By: /s/ Ryan L. Werner (as authorized on 5/15)  
Ryan L. Werner, Esq.

Attorneys for Plaintiff  
LENNAR MARE ISLAND, LLC

Dated: May 15, 2017

FARELLA BRAUN + MARTEL LLP

By: /s/ Adam C. Dawson  
Adam C. Dawson, Esq.

Attorneys for Counterdefendant and Counterclaimant  
CH2M HILL CONSTRUCTORS, INC.

Dated: May 15, 2017

QUINN EMANUEL URQUHART & SULLIVAN, LLP

By: /s/ Dale H. Oliver (as authorized 5/15)  
Dale H. Oliver, Esq.

Attorneys for Defendant, Counterclaimant, and  
Counterdefendant  
STEADFAST INSURANCE COMPANY

Dated: May 15, 2017

U.S. DEPARTMENT OF JUSTICE

By: /s/ John T. McConkie (as authorized 5/15)  
John T. McConkie, Esq.

Attorneys for Plaintiff-intervenor  
UNITED STATES OF AMERICA

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**ORDER**

The Court, having reviewed and considered the Parties' Stipulation Regarding the Deposition of CCI's Expert Jeffrey Zelikson and the United States' Expert Valerie Lee, and good cause appearing:

HEREBY ORDERS that the deposition of Expert Jeffrey Zelikson may proceed in San Francisco, California, during the week of August 7, 2017, on a date to be mutually agreed upon by the parties, and

FURTHER ORDERS that the deposition of Valerie Lee will occur on June 23, 2017, in San Francisco, California.

All other deadlines, including the October 16, 2017 trial date, are unchanged.

**IT IS SO ORDERED.**

DATED: June 21, 2017.

  
UNITED STATES DISTRICT JUDGE