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Attorneys for Defendant

**IN THE DISTRICT COURT FOR THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA**

STRIDER CONSTRUCTION CO., INC.,

Plaintiff,

vs.

IDAHO WATER RESOURCE BOARD,

Defendant.

Case No. CV01-22-10932

**DECLARATION OF JENNIFER
REINHARDT-TESSMER IN SUPPORT
OF MOTION TO COMPEL STRIDER TO
PRODUCE PHYSICAL EVIDENCE IN
RESPONSE TO DEFENDANT'S
SECOND SET OF REQUESTS FOR
PRODUCTION**

STATE OF IDAHO)

: ss.

County of Ada)

Jennifer Reinhardt-Tessmer, being first duly sworn upon oath, deposes and says:

1. I am an attorney with Kirton McConkie, counsel of record for the Defendant, Idaho Water Resource Board (“IWRB”). I am over the age of 18 and base this declaration on my personal knowledge.

2. On June 13, 2023, IWRB served the Plaintiff, Strider Construction Co. (“Strider”), with its second set of requests for production. A copy of these requests is attached hereto as **Exhibit A**.

3. On July 13, 2023, Strider requested an extension on responding to Request for Production No. 19 on the basis that Strider was engaging counsel in Boise, which request I granted. A copy of this exchange is attached hereto as **Exhibit B**.

4. On July 18, 2023, Strider objected to Request for Production No. 19 on various grounds but stated it would make the evidence available either “under supervision of Strider” at Wenatchee or at its newly retained Boise counsel’s office. A complete copy of Strider’s discovery response is attached hereto as **Exhibit C**.

5. On August 16, 2023, I emailed Strider’s counsel to advise them that IWRB would want to retrieve evidence from their Boise counsel’s office in mid-September in light of the upcoming depositions. I further requested that the evidence be made available for inspection. A copy of this request is attached hereto as **Exhibit D**.

6. Strider’s counsel responded by email and objected to several items in my August 16, 2023 email; however, counsel’s reply did not object to my request to make the physical

evidence in Strider's possession available with its local Boise counsel. A copy of this response is attached hereto as **Exhibit E** (see counsel's bolded responsive comments to my email).

7. On August 21, 2023, IWRB issued a 30(b)(6) notice of deposition to Plaintiff and Plaintiff's President/CEO and Operations Manager, James and Kyle Gebhardt for September 20-21, 2023 in Boise, Idaho.

8. On August 24, 2023, I emailed Strider's local counsel (and copied Washington counsel) to follow up on my previous request for the evidence inspection. Specifically, I advised that my expert would be in town on September 13th to inspect the evidence. I requested to pick up the evidence the evening of September 12th or the morning of September 13th and return it at the end of the day. A copy of that email is attached hereto as **Exhibit F**. I received no reply to this email with any objection to my request despite numerous emails after this date with objections from opposing counsel regarding other issues.

9. IWRB's expert in this matter booked a flight into Boise for the September 13, 2023 evidence inspection.

10. On September 4, 2023, I sent another email to counsel for Strider advising that our expert had booked his travel and seeking to confirm that Strider's Response to Request for Production No. 19 was still current (so that our expert could bring appropriate equipment for the examination). For the first time since my August 16, 2023 email originally notifying counsel of my desire for the Boise evidence inspection ahead of depositions, counsel for Strider responded indicating the date didn't work for the Striders and that the evidence would be produced in Wenatchee instead of Boise. A copy of that email exchange is attached hereto as **Exhibit G**.

11. In meet and confer efforts on September 4, 2023, I reminded opposing counsel of its previous request for an extension on a discovery response relative to the physical evidence in

order to retain Boise counsel and note availability of the evidence with its Boise counsel. I further noted the delay this would cause to depositions. *See Exhibit H.*

12. Despite my efforts thereafter to have Strider's counsel identify a date in Boise for the inspections ahead of the September depositions, she identified November as a potentially agreeable time. *See Exhibit I.*

DATED this 13th day of September 2023.

KIRTON McCONKIE

/s/ Jennifer Reinhardt-Tessmer

Jennifer Reinhardt-Tessmer

Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of September 2023, a true and correct copy of the foregoing was served by the method indicated below, and addressed to the following:

Lindsay (Taft) Watkins
Pro Hae Vice Admission Pending
Kristina Southwell
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/s/ Jennifer Reinhardt-Tessmer
Jennifer Reinhardt-Tessmer

EXHIBIT A

Steven B. Andersen (ISB 2618)
Jennifer Reinhardt-Tessmer (ISB 7432)
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Attorneys for Defendant

**IN THE DISTRICT COURT FOR THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA**

STRIDER CONSTRUCTION CO., INC.,

Plaintiff,

vs.

IDAHO WATER RESOURCE BOARD,

Defendant.

Case No. CV01-22-10932

**IDAHO WATER RESOURCE BOARD'S
SECOND SET OF REQUESTS FOR
PRODUCTION TO PLAINTIFF**

Pursuant to Rules 33, 34 and 36 of the Idaho Rules of Civil Procedure, Defendant Idaho Water Resource Board, by and through its counsel of record, hereby propounds this Second Set of IDAHO WATER RESOURCE BOARD'S SECOND SET OF REQUESTS FOR PRODUCTION TO PLAINTIFF - 1

Requests for Production (the “Discovery Requests”) upon Plaintiff Strider Construction Co, Inc.

INSTRUCTIONS

1. These Discovery Requests are to be answered in writing, within thirty (30) days of service, or within a time hereafter stipulated to by the parties. You must produce the documents described below for inspection and copying at the offices of the law firm Kirton McConkie, at the address of 1100 W. Idaho Street, Suite 930, Boise, Idaho 83702.

2. These Discovery Requests are deemed continuing, and if you or your representatives acquire additional information regarding the responses hereto, you must seasonably supplement and/or amend your responses prior to trial.

3. No part of any Discovery Request should be left unanswered merely because an objection is interposed to another part of the request.

4. Please note that in responding to these Discovery Requests, you are required to furnish all responsive information available to you, including not only information in your possession, custody or control, but also in the possession, custody or control of your attorneys, agents and other representatives, or anyone acting in cooperation or in concert with them.

5. If you assert a claim of privilege in objecting to any Discovery Request and information is not provided on the basis of such assertion, you shall:

- a. Identify with specificity the nature of the privilege (including the attorney work product protection) that is being claimed in the objection to the Discovery Request, or part thereof; and
- b. Provide the following information in the objection, if known or reasonably available, unless divulging such information would cause disclosure of the allegedly privileged information:
 - (1) For oral communications:
 - (i) the name of the person making the communication and the names of persons present while the communication was

- made, and, where not apparent, the relationship of the persons present to the person making the communication;
- (ii) the date and place of the communication; and
- (iii) the general subject matter of the communication.

(2) For documents:

- (i) the type of document;
- (ii) the general subject matter of the document;
- (iii) the date of the document; and
- (iv) such other information as is sufficient to identify the document, including the author, addressee, custodian and any other recipient of the document, and where not apparent, the relationship of the author, addressee, custodian and any other recipient to each other.

6. In responding to these Discovery Requests, you must provide all materials in the form – organizational, chronological and otherwise – in which such materials are normally kept or maintained in the ordinary course of business. You shall also provide an index or other means of identifying which produced materials are responsive to the specific Discovery Requests.

7. If you are objecting to providing information about any communication or document, set forth your objection and generally identify the communication or document objected to and the grounds for your objection, including any objections based upon attorney client privilege or work product privilege.

8. The documents to be produced pursuant to these Discovery Requests specifically embrace, in addition to documents within your possession, custody or control, documents within the possession, custody or control or any of your agents, accountants, representatives or attorneys. Such documents also embrace originals and identical copies (whether different from the original because of notes made thereon or otherwise) of the documents described in these requests.

9. ESI. All documents existing in electronic form, including all Electronic Data as defined below, should be produced as follows:

- a. Documents should be produced in their native format unless the parties otherwise agree in writing to an alternative format such as TIFF or PDF.
- b. All drafts and metadata should be produced and should appear in native format.
- c. Attachments to emails should be produced directly behind or with the emails so that they can be reviewed together.

10. Destruction Log. In the event that any document called for by these Discovery

Requests has been destroyed or discarded, that document is to be identified by stating:

- a. The nature of the document;
- b. Any addresser or addressee;
- c. Any indicated or blind copies;
- d. The document's date, subject matter, number of pages and attachments or appendices;
- e. All persons to whom the document was distributed, shown or explained;
- f. Its date of destruction or discard, manner of destruction or discard; and
- g. The person authorizing or carrying out such destruction or discard.

DEFINITIONS

1. The terms "You" and "Your" as used herein mean Plaintiff Strider Construction Co, Inc.

2. The term "Idaho Water Resource Board" as used herein means Defendant Idaho Water Resource Board.

3. The terms "Person" and "Persons" as used herein mean and include any natural person, corporation, limited liability company, firm, partnership, unincorporated association, joint venture, proprietorship, governmental body (including any administrative agency and including state, federal or local government) or other organization or legal entity.

4. The terms “Communicated” and “Communications” as used herein mean any transmittal of information in the form of facts, inquiries, ideas, discussions, conversations, negotiations, agreements, undertakings, meetings, telephone conversations, letters, notes, telegrams, telexes, facsimiles, Electronic Data (as that term is defined below), advertisements or other form of interchange whether oral or written.

5. The terms “Document” and “Documents” as used herein mean any and all writings of any kind including the originals and non-identical copies, whether different from the originals by reason of any notation made on such copies or likewise, and including, without limitation, Communications, correspondence, memoranda, notes, diaries, desk calendars and organizers, statistics, letters, telegrams, minutes, contracts, agreements, reports, studies, checks, statements, receipts return summaries, pamphlets, books, prospectuses, interoffice and intra-office communications, offers, notations of any sort of conversations, telephone calls, Electronic Data (as that term is defined below), meetings or other communications, bulletins, printed matter, computer printouts, teletypes, telefax, invoices, work sheets and all drafts, alterations, modifications, changes and amendments of any of the foregoing; and graphic or aural records or representations of any kind (including, without limitation, tapes, cassettes, disks or recordings) and other electronic data compilations which information can be obtained (which is to be translated by the responding party or parties through an appropriate device into usable form); whether in your possession, custody or control or in the possession, custody or control of your agents, attorneys, accountants, employees, officials or other representatives.

6. The term “Electronic Data” shall mean any original and any non-identical copies (whether non-identical because of notes made on copies or attached comments, annotations, marks, transmission notations, or highlighting of any kind), of mechanical, facsimile, electronic,

magnetic, digital or other programs (whether private, commercial, or work-in-progress), programming notes or instructions, activity listings of electronic mail receipts or transmittals, output resulting from the use of any software program, including word processing documents, spreadsheets, database files, charts, graphs and outlines, electronic mail or “e-mail,” personal digital assistant (“PDA”) messages, text messages, instant messenger messages, social media communications and posts, other web- or internet-based communication, operating systems, source code of all types, programming languages, linkers and compilers, peripheral drives, PDF files, PRF files, batch files, ASCII files, code keys, pull down tables, logs, file layouts and any and all miscellaneous files or file fragments, regardless of the media on which they reside and regardless of whether said electronic data consists of an active file, deleted file or file fragment. “Electronic Data” also includes any and all items stored on computer memory or memories, hard disks, floppy disks, zip drives, CD-ROM discs, Bernoulli Boxes and their equivalents, magnetic tapes of all types and kinds, microfiche, punched cards, punched tape, computer chips (including, but not limited to, EPROM, PROM, ROM or RAM of any kind) on or in any other vehicle for digital data storage or transmittal, files, folder tabs, or containers and labels appended to or associated with any physical storage device associated with each original and each copy.

7. The term “Identify” when referring to a Person means to state the Person’s full name, last known address and last known telephone number.

8. The term “Identify” when referring to a Document means to state the following: (a) the Document’s author(s); (b) the Document’s recipient(s); (c) the Document’s date; (d) the Document’s title; and (e) a brief summary of the Document’s contents.

REQUESTS FOR PRODUCTION OF DOCUMENTS

REQUEST FOR PRODUCTION NO. 19. Please produce all physical evidence in your possession related to this lawsuit (including but not limited to, the J-seal material from the replaced J-seal and the new J-seal) for inspection pursuant to Rule 34(b)(1)(b) at the law offices of Kirton McConkie at 1100 W. Idaho St. #930 in Boise, Idaho.

DATED this 13th day of June 2023.

KIRTON McCONKIE

/s/ Jennifer Reinhardt-Tessmer

Jennifer Reinhardt-Tessmer

Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of June 2023, a true and correct copy of the foregoing was served by the method indicated below, and addressed to the following:

Lindsay (Taft) Watkins
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Kristina Southwell
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/s/ Jennifer Reinhardt-Tessmer
Jennifer Reinhardt-Tessmer

EXHIBIT B

From: Jennifer Reinhardt-Tessmer <jtessmer@kmclaw.com>
Sent: Thursday, July 13, 2023 3:07 PM
To: Lindsay Watkins <lindsay.watkins@acslawyers.com>
Subject: Re: Strider Discovery Responses and Scheduling Responses

Yes

Jennifer

From: Lindsay Watkins <lindsay.watkins@acslawyers.com>
Sent: Thursday, July 13, 2023 1:30:42 PM
To: Jennifer Reinhardt-Tessmer <jtessmer@kmclaw.com>
Cc: Ammon Hansen <ahansen@kmclaw.com>
Subject: Re: Strider Discovery Responses and Scheduling Responses

CAUTION: EXTERNAL

The one request for the seal.

Lindsay Watkins
lindsay.watkins@acslawyers.com

AHLERS CRESSMAN & SLEIGHT PLLC
(P) [206.287.9900](tel:206.287.9900) | (F) [206.287.9902](tel:206.287.9902) | (D) [206.529.3017](tel:206.529.3017)
[1325 4th Ave Suite 1850](https://www.acslawyers.com)
[Seattle WA 98101](https://www.acslawyers.com)
www.acslawyers.com

*****Please note our new address above**

This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive e-mail correspondence on behalf of the addressee), you may not use, copy or disclose to anyone this message or any information contained in this message. If you have received this message in error, please advise the sender by reply e-mail at lindsay.watkins@acslawyers.com, and delete this message.

On Jul 13, 2023, at 1:29 PM, Jennifer Reinhardt-Tessmer <jtessmer@kmclaw.com> wrote:

What discovery response are you referring to? Yes, my understanding is he was going to issue the order but I also have not seen it. My understanding is we are staying all expert deadlines until we get that order and then we were going to work on a stipulation to further extend to account for the November inspection. Thanks.

Jennifer

From: Lindsay Watkins <lindsay.watkins@acslawyers.com>
Sent: Thursday, July 13, 2023 12:21:09 PM
To: Jennifer Reinhardt-Tessmer <jtessmer@kmclaw.com>
Subject: Strider Discovery Responses and Scheduling Responses

CAUTION: EXTERNAL

Jennifer,

Strider is in the process of engaging counsel in Boise to substitute for John Guin and that is going to impact the response to the discovery requests, but one individual is out this week. Do you have any issue with an extension until Tuesday 7/18 so that can be incorporated into the response?

Also, I have not seen the revised scheduling order. It was my understanding that the Court would be issuing that and it would further extend the current deadlines, including the ones we agreed to move to Monday. Is that your understanding? Just want to confirm.

<image001.png>

Lindsay Watkins
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*****Please note our new address above**

This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive e-mail correspondence on behalf of the addressee), you may not use, copy or disclose to anyone this message or any information contained in this message. If you have received this message in error, please advise the sender by reply e-mail at lindsay.watkins@acslawyers.com, and delete this message.

EXHIBIT C

Lindsay (Taft) Watkins, *Pro Hac Vice*
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Kristina Southwell, *Pro Hac Vice*
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Spokane, WA 99223
Phone: (509) 443-0709

**IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA**

STRIDER CONSTRUCTION CO., INC.,

Plaintiff,

vs.

IDAHO WATER RESOURCE BOARD,

Defendant.

Case No. CV01-22-10932

PLAINTIFF'S ANSWERS AND
OBJECTIONS TO DEFENDANT'S
SECOND REQUESTS FOR
PRODUCTION

Plaintiff Strider Construction Co., Inc. ("Strider"), by and through its undersigned counsel of record, hereby submits the following answers and responses to Defendant Idaho Water Resource Board's ("IWRB") Second Requests for Production dated June 13, 2023 (the "Discovery Requests").

GENERAL OBJECTIONS

PLAINTIFF'S ANSWERS AND OBJECTIONS TO
DEFENDANT'S SECOND REQUESTS FOR
PRODUCTION – 1

Strider makes the following General Objections. Any answers are made subject to and without waiving any of the following general objections, which are incorporated in each and every answer and response:

1. Strider objects to each and every request for production to the extent that they seek to impose upon Strider any obligation beyond those required by law or the applicable Court Rules. Defendant's definitions and instructions are overly broad, unduly burdensome, vague, and confusing. Strider does not intend to be bound by the arbitrary definitions and instructions as stated in Defendant's discovery requests and will answer the discovery requests only as required by law or the applicable Court Rules.

2. Strider's responses represent its reasonable efforts to provide information within its possession, custody, or control after a reasonable search. Strider reserves the right to amend, supplement, or alter its answers set forth herein and to provide additional information that may be subsequently discovered.

3. Strider objects to each and every request for production to the extent that they seek information or documentation protected by any privilege, including without limitation the attorney-client privilege, the work-product doctrine, or any other applicable privilege. Strider hereby asserts all such privileges. Strider will not disclose such privileged information or documentation in response to Defendants' discovery requests. Any production of materials which are subject to privilege or protection is inadvertent and such materials are subject to claw back.

4. Strider objects to each and every request for production to the extent that they are not limited to information that is within Strider's possession, custody, or control. Strider will

disclose only responsive, non-privileged information that is within its possession, custody, or control.

5. Nothing herein shall be construed as admission or waiver by Strider of (i) the right to object respecting admissibility, competency, relevance, privilege, materiality, and/or authenticity of the information provided in the Answers or Responses, documents identified in the Answers or Responses, or the subject matter thereof; and (ii) the right to object to the use of information provided in the Answers or Responses, documents identified in the Answers or Responses, or the subject matter contained therein during a subsequent proceeding, including the trial of this or any other action.

6. These General Objections are incorporated by reference into each and every answer and response of Strider to the Discovery Requests, and the answers, responses and objections thereto are made without waiver of any of these General Objections.

7. Strider reserves the right to raise additional objections in regard to specific interrogatories and requests for production as may be found applicable or necessary in the future.

8. Discovery is ongoing. Strider reserves the right to amend or supplement its following Answers and Responses, as necessary.

RESPONSES TO REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 19. Please produce all physical evidence in your possession related to this lawsuit (including but not limited to, the J-seal material from the

replaced J-seal and the new J-seal) for inspection pursuant to Rule 34(b)(1)(b) at the law offices of Kirton McConkie at 1100 W. Idaho St. #930 in Boise, Idaho.

RESPONSE: Strider objects to Request for Production No. 19 on the basis that it is vague, overbroad, and fails to describe with reasonable particularity each item or category of items to be inspected other than the sample of old J-seal and new J-seal. Aside from the J-seal material, the request asks for “all physical evidence” which is overbroad and lacks sufficient detail for Strider to understand what is being requested. Strider further objects to the request to the extent that it demands the material be produced at the law offices of Kirton McConkie. Subject to the foregoing objections, Strider responds that it will make the old J-seal and new J-seal material samples available for inspection by IWRB under supervision of Strider at Strider’s Wenatchee offices, or its representatives at a mutually agreeable time at Meuleman Law Group, PLLC in Boise, Idaho.

The undersigned hereby agrees the foregoing answers are consistent with applicable Court Rules.

DATED: This 18^h day of July, 2023.

AHLERS CRESSMAN & SLEIGHT PLLC

By: /s/ Lindsay Watkins
Lindsay Taft Watkins, admitted *Pro Hac Vice*
Kristina Southwell, admitted *Pro Hac Vice*
Attorneys for Strider Construction Co., Inc.

LAW OFFICE OF JOHN H. GUIN, PLLC

By: /s/ John Guin
John H. Guin, ISB #5753
Attorneys for Strider Construction Co., Inc.

EXHIBIT D

From: [Jennifer Reinhardt-Tessmer](#)
To: [Lindsay Watkins](#)
Cc: [Ammon Hansen](#); [Wade Woodard](#); [Shannon Menard](#); [Madison Hyland](#); [Nicholas Korst](#); [Carter, Meghan](#); [Joe Meuleman](#); [Carolyn McCutchan](#)
Subject: RE: Expert disclosure deadlines and request for depo. dates
Date: Wednesday, August 16, 2023 3:05:00 PM
Attachments: [image003.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

Lindsay –

We plan to take the 30(b)(6) and the Gebhardts' depositions in Boise. We will try to arrange for 9/20-21.

We also request the evidence be available in that timeframe for inspection (we can discuss specifics as the date approaches).

Regarding the expert reports, yes, we agree that both parties would provide reports supporting affirmative claims on 12/4; rebuttal disclosures by both on 12/18.


I will get you dates for November. To clarify, do you plan to have an expert conduct any type of testing or just take photographs? Do you have an estimate for how much time you will need? I will need to arrange in advance.

We requested the stipulation for a protective order back in June when the documents (there were 1 or 2 I believe) were not public, but now everything is publicly available, so we don't need the stipulation for a protective order.

Regarding the documents Pita produced, we noted that the documents were void of correspondence between Mr. Rohrbach and him. This correspondence should have been included (and was included, at least in part, in Rohrbach's production). Please advise as to when Mr. Pita can supplement with his complete set of responsive documents.

Thank you,

Jennifer


Jennifer Reinhardt-Tessmer
Shareholder
d 208.370.3323
c 208.957.3939

From: Lindsay Watkins <lindsay.watkins@acslawyers.com>
Sent: Tuesday, August 15, 2023 4:00 PM
To: Jennifer Reinhardt-Tessmer <jtessmer@kmclaw.com>
Cc: Ammon Hansen <ahansen@kmclaw.com>; Wade Woodard <wwoodard@kmclaw.com>; Shannon Menard <smenard@kmclaw.com>; Madison Hyland <mhyland@kmclaw.com>; Nicholas

Korst <nicholas.korst@acslawyers.com>; Carter, Meghan <Meghan.Carter@idwr.idaho.gov>; Joe Meuleman <jmeuleman@meulemanlaw.com>; Carolyn McCutchan <carolyn.mccutchan@acslawyers.com>

Subject: RE: Expert disclosure deadlines and request for depo. dates

CAUTION: EXTERNAL

Hi Jennifer,

I am still waiting to get available dates from Tim, but Jim is available on 9/19, 9/20 or 9/21 in Seattle.

He is also likely the designated individual for the majority if not all of the 30(b)(6) topics. Kyle is available 9/13 or 9/21 in Seattle. We can also supply a conference room.

For the expert reports, as both parties have claims, we are willing to agree on a revised schedule, provided both Parties exchange expert reports supporting their affirmative claims on 12/4 and then rebuttal disclosures by both parties on 12/18.

For the November inspection, what are the proposed dates? For availability, we would request that occur either the last week of October/first week of November (Oct 30 – Nov 3), or the week of November 13. Please provide an update on proposed dates so we can confirm availability.

Finally, I understand there are still some documents that are being withheld pending the protective order. We have provided that document. Please provide an update on when those documents will be produced.



Lindsay Watkins
lindsay_watkins@acslawyers.com

AHLERS CRESSMAN & SLEIGHT PLLC
(P) 206.287.9900 | (F) 206.934.1139 | (D) 206.529.3017
1325 4th Ave Suite 1850
Seattle WA 98101
www.acslawyers.com

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From: Jennifer Reinhardt-Tessmer <jtessmer@kmclaw.com>

Sent: Thursday, August 10, 2023 7:40 PM

To: Lindsay Watkins <lindsay.watkins@acslawyers.com>

Cc: Ammon Hansen <ahansen@kmclaw.com>; Wade Woodard <wwoodard@kmclaw.com>; Shannon Menard <smenard@kmclaw.com>; Madison Hyland <mhyland@kmclaw.com>; Nicholas Korst <nicholas.korst@acslawyers.com>; Carter, Meghan <Meghan.Carter@idwr.idaho.gov>; Joe

Meuleman <jmeuleman@meulemanlaw.com>; Carolyn McCutchan <carolyn.mccutchan@acslawyers.com>

Subject: Re: Expert disclosure deadlines and request for depo. dates

Not yet.

Jennifer

From: Lindsay Watkins <lindsay.watkins@acslawyers.com>

Sent: Thursday, August 10, 2023 6:39:26 PM

To: Jennifer Reinhardt-Tessmer <jtessmer@kmclaw.com>

Cc: Ammon Hansen <ahansen@kmclaw.com>; Wade Woodard <wwoodard@kmclaw.com>; Shannon Menard <smenard@kmclaw.com>; Madison Hyland <mhyland@kmclaw.com>; Nicholas Korst <nicholas.korst@acslawyers.com>; Carter, Meghan <Meghan.Carter@idwr.idaho.gov>; Joe Meuleman <jmeuleman@meulemanlaw.com>; Carolyn McCutchan <carolyn.mccutchan@acslawyers.com>

Subject: RE: Expert disclosure deadlines and request for depo. dates

CAUTION: EXTERNAL

Jennifer – one initial follow up question, is there a date proposed for the inspection in November?



Lindsay Watkins
lindsay.watkins@acslawyers.com

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From: Lindsay Watkins

Sent: Thursday, August 10, 2023 4:56 PM

To: Jennifer Reinhardt-Tessmer <jtessmer@kmclaw.com>

Cc: Ammon Hansen <ahansen@kmclaw.com>; Wade Woodard <wwoodard@kmclaw.com>; Shannon Menard <smenard@kmclaw.com>; Madison Hyland <mhyland@kmclaw.com>; Nicholas Korst <nicholas.korst@acslawyers.com>; Carter, Meghan <Meghan.Carter@idwr.idaho.gov>; Joe Meuleman <jmeuleman@meulemanlaw.com>; Carolyn McCutchan

<carolyn.mccutchan@acslawyers.com>

Subject: RE: Expert disclosure deadlines and request for depo. dates

Hi Jennifer,

Working on this and will get back to you shortly.



Lindsay Watkins

lindsay.watkins@acslawyers.com

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From: Jennifer Reinhardt-Tessmer <jtessmer@kmclaw.com>

Sent: Thursday, August 10, 2023 8:51 AM

To: Lindsay Watkins <lindsay.watkins@acslawyers.com>

Cc: Ammon Hansen <ahansen@kmclaw.com>; Wade Woodard <wwoodard@kmclaw.com>; Shannon Menard <smenard@kmclaw.com>; Madison Hyland <mhyland@kmclaw.com>; Nicholas Korst <nicholas.korst@acslawyers.com>; Carter, Meghan <[Meghan.Carter@idwr.idaho.gov](mailto: Meghan.Carter@idwr.idaho.gov)>

Subject: RE: Expert disclosure deadlines and request for depo. dates

Lindsay,

On second thought, in lieu of taking Mr. Pita and Rohrbach's depositions on the 19, 20 or 21st, I'd like to take the deposition of Tim Yedinak on one of those dates. I'll wait to schedule Pita and Rohrbach's until we reach an agreement on expert disclosures. Also, I will be wanting to take the personal depositions of James and Kyle Gebhardt. To the extent Tim, James and/or Kyle are the 30(b)(6) reps, let me know and I can try and combine the personal and 30(b)(6) depositions. Thanks.



Jennifer Reinhardt-Tessmer

Shareholder

d 208.370.3323

c 208.957.3939

From: Jennifer Reinhardt-Tessmer

Sent: Wednesday, August 9, 2023 12:40 PM

To: Lindsay Watkins <lindsay.watkins@acslawyers.com>

Cc: Ammon Hansen <ahansen@kmclaw.com>; Wade Woodard <wwoodard@kmclaw.com>; Shannon Menard <smenard@kmclaw.com>; Madison Hyland <mhyland@kmclaw.com>; Nicholas Korst <nicholas.korst@acslawyers.com>

Subject: Expert disclosure deadlines and request for depo. dates

Lindsay,

In light of the last hearing before the Court on 7/7 and the judge's direction to try and reach a stipulation on Expert Witness Disclosures and Deadlines given the new trial date of 2/26 set forth in the 8/1 amended Scheduling Order, I am reaching out to determine if you would be amenable to moving Plaintiff's deadline to 12 weeks before trial (falling on 12/4); and Defendant's expert disclosure deadline to 12/11 (11 weeks before trial); Plaintiff's rebuttal expert disclosures due 12/18. Depositions of all experts to be completed by 1/26/24. I also propose modifying the Written Discovery deadline, allowing written discovery to be served up until 8 weeks before trial, with responses due on an expedited basis 3 weeks later. Please let me know your thoughts on this proposal.

Also, I am writing to request witness availability for depositions. Specifically, we would like to take the 30(b)(6) deposition of Strider on 8/31, 9/5, or 9/13; and the depositions of Mr. Pita and Mr. Rohrbach on Sept. 19, 20, or 21. Please let me know if any of these dates do NOT work for you and the witnesses.

The 30(b)(6) topics are attached in the draft notice.

Thanks,

Jennifer



Boise Office
1100 W. Idaho St. #930
Boise, ID 83702
kmclaw.com

Jennifer Reinhardt-Tessmer
Shareholder

d 208.370.3323
c [208.957.3939](tel:208.957.3939)
jtessmer@kmclaw.com


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EXHIBIT E

From: [Jennifer Reinhardt-Tessmer](#)
To: [Lindsay Watkins](#)
Cc: [Ammon Hansen](#); [Wade Woodard](#); [Shannon Menard](#); [Madison Hyland](#); [Nicholas Korst](#); [Carter, Meghan](#); [Joe Meuleman](#); [Carolyn McCutchan](#)
Subject: RE: Expert disclosure deadlines and request for depo. dates
Date: Wednesday, August 16, 2023 4:11:00 PM
Attachments: [image003.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

Lindsay –

We have a right to set the plaintiff's depo in boise. Your clients initiated the litigation here. If you're arguing just the individual depositions need to occur in Seattle, that would be silly and inefficient, as you've indicated at least Jim is one of the 30(b)(6) deponents. A motion on this issue would be a waste of everyone's time and money.


Jennifer Reinhardt-Tessmer
Shareholder
d 208.370.3323
c 208.957.3939

From: Lindsay Watkins <lindsay.watkins@acslawyers.com>
Sent: Wednesday, August 16, 2023 4:03 PM
To: Jennifer Reinhardt-Tessmer <jtessmer@kmclaw.com>
Cc: Ammon Hansen <ahansen@kmclaw.com>; Wade Woodard <wwoodard@kmclaw.com>; Shannon Menard <smenard@kmclaw.com>; Madison Hyland <mhyland@kmclaw.com>; Nicholas Korst <nicholas.korst@acslawyers.com>; Carter, Meghan <Meghan.Carter@idwr.idaho.gov>; Joe Meuleman <jmeuleman@meulemanlaw.com>; Carolyn McCutchan <carolyn.mccutchan@acslawyers.com>
Subject: RE: Expert disclosure deadlines and request for depo. dates

CAUTION: EXTERNAL

Jennifer,

My comments are below:



Lindsay Watkins
lindsay_watkins@acslawyers.com
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From: Jennifer Reinhardt-Tessmer <jtessmer@kmclaw.com>

Sent: Wednesday, August 16, 2023 2:05 PM

To: Lindsay Watkins <lindsay.watkins@acslawyers.com>

Cc: Ammon Hansen <ahansen@kmclaw.com>; Wade Woodard <wwoodard@kmclaw.com>; Shannon Menard <smenard@kmclaw.com>; Madison Hyland <mhyland@kmclaw.com>; Nicholas Korst <nicholas.korst@acslawyers.com>; Carter, Meghan <[Meghan.Carter@idwr.idaho.gov](mailto: Meghan.Carter@idwr.idaho.gov)>; Joe Meuleman <jmeuleman@meulemanlaw.com>; Carolyn McCutchan <carolyn.mccutchan@acslawyers.com>

Subject: RE: Expert disclosure deadlines and request for depo. dates

Lindsay –

We plan to take the 30(b)(6) and the Gebhardts' depositions in Boise. We will try to arrange for 9/20-21.

We also request the evidence be available in that timeframe for inspection (we can discuss specifics as the date approaches). **We would prefer to avoid motion practice on this, but please be advised that we will oppose any note scheduling the deposition in Boise. The Gebhardts are not located in Boise.**

Regarding the expert reports, yes, we agree that both parties would provide reports supporting affirmative claims on 12/4; rebuttal disclosures by both on 12/18.

I will get you dates for November. To clarify, do you plan to have an expert conduct any type of testing or just take photographs? Do you have an estimate for how much time you will need? I will need to arrange in advance. **I will discuss as to more specifics but we will be present for IWRB's inspection and our expert will likely do testing as well. Please let me know the proposed dates and I will follow up.**

We requested the stipulation for a protective order back in June when the documents (there were 1 or 2 I believe) were not public, but now everything is publicly available, so we don't need the stipulation for a protective order. **Please confirm when the documents that were being withheld will be produced.**

Regarding the documents Pita produced, we noted that the documents were void of correspondence between Mr. Rohrbach and him. This correspondence should have been included (and was included, at least in part, in Rohrbach's production). Please advise as to when Mr. Pita can supplement with his complete set of responsive documents. **We will review this request with Mr. Pita.**

Thank you,

Jennifer

[Redacted]

Jennifer Reinhardt-Tessmer

Shareholder

d 208.370.3323

c 208.957.3939

From: Lindsay Watkins <lindsay.watkins@acslawyers.com>

Sent: Tuesday, August 15, 2023 4:00 PM

To: Jennifer Reinhardt-Tessmer <jtessmer@kmclaw.com>

Cc: Ammon Hansen <ahansen@kmclaw.com>; Wade Woodard <wwoodard@kmclaw.com>; Shannon Menard <smenard@kmclaw.com>; Madison Hyland <mhyland@kmclaw.com>; Nicholas Korst <nicholas.korst@acslawyers.com>; Carter, Meghan <Meghan.Carter@idwr.idaho.gov>; Joe Meuleman <jmeuleman@meulemanlaw.com>; Carolyn McCutchan <carolyn.mccutchan@acslawyers.com>

Subject: RE: Expert disclosure deadlines and request for depo. dates

CAUTION: EXTERNAL

Hi Jennifer,

I am still waiting to get available dates from Tim, but Jim is available on 9/19, 9/20 or 9/21 in Seattle.

He is also likely the designated individual for the majority if not all of the 30(b)(6) topics. Kyle is available 9/13 or 9/21 in Seattle. We can also supply a conference room.

For the expert reports, as both parties have claims, we are willing to agree on a revised schedule, provided both Parties exchange expert reports supporting their affirmative claims on 12/4 and then rebuttal disclosures by both parties on 12/18.

For the November inspection, what are the proposed dates? For availability, we would request that occur either the last week of October/first week of November (Oct 30 – Nov 3), or the week of November 13. Please provide an update on proposed dates so we can confirm availability.

Finally, I understand there are still some documents that are being withheld pending the protective order. We have provided that document. Please provide an update on when those documents will be produced.

[Redacted]

Lindsay Watkins
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Sent: Thursday, August 10, 2023 7:40 PM
To: Lindsay Watkins <lindsay.watkins@acslawyers.com>
Cc: Ammon Hansen <ahansen@kmclaw.com>; Wade Woodard <wwoodard@kmclaw.com>; Shannon Menard <smenard@kmclaw.com>; Madison Hyland <mhyland@kmclaw.com>; Nicholas Korst <nicholas.korst@acslawyers.com>; Carter, Meghan <[Meghan.Carter@idwr.idaho.gov](mailto: Meghan.Carter@idwr.idaho.gov)>; Joe Meuleman <jmeuleman@meulemanlaw.com>; Carolyn McCutchan <carolyn.mccutchan@acslawyers.com>
Subject: Re: Expert disclosure deadlines and request for depo. dates

Not yet.

Jennifer

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Sent: Thursday, August 10, 2023 6:39:26 PM
To: Jennifer Reinhardt-Tessmer <jtessmer@kmclaw.com>
Cc: Ammon Hansen <ahansen@kmclaw.com>; Wade Woodard <wwoodard@kmclaw.com>; Shannon Menard <smenard@kmclaw.com>; Madison Hyland <mhyland@kmclaw.com>; Nicholas Korst <nicholas.korst@acslawyers.com>; Carter, Meghan <[Meghan.Carter@idwr.idaho.gov](mailto: Meghan.Carter@idwr.idaho.gov)>; Joe Meuleman <jmeuleman@meulemanlaw.com>; Carolyn McCutchan <carolyn.mccutchan@acslawyers.com>
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Cc: Ammon Hansen <ahansen@kmclaw.com>; Wade Woodard <wwoodard@kmclaw.com>; Shannon Menard <smenard@kmclaw.com>; Madison Hyland <mhyland@kmclaw.com>; Nicholas Korst <nicholas.korst@acslawyers.com>; Carter, Meghan <Meghan.Carter@idwr.idaho.gov>; Joe Meuleman <jmeuleman@meulemanlaw.com>; Carolyn McCutchan <carolyn.mccutchan@acslawyers.com>
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Sent: Thursday, August 10, 2023 8:51 AM
To: Lindsay Watkins <lindsay.watkins@acslawyers.com>
Cc: Ammon Hansen <ahansen@kmclaw.com>; Wade Woodard <wwoodard@kmclaw.com>; Shannon Menard <smenard@kmclaw.com>; Madison Hyland <mhyland@kmclaw.com>; Nicholas Korst <nicholas.korst@acslawyers.com>; Carter, Meghan <Meghan.Carter@idwr.idaho.gov>
Subject: RE: Expert disclosure deadlines and request for depo. dates

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Jennifer Reinhardt-Tessmer

Shareholder

d 208.370.3323

c 208.957.3939

From: Jennifer Reinhardt-Tessmer

Sent: Wednesday, August 9, 2023 12:40 PM

To: Lindsay Watkins <lindsay.watkins@acslawyers.com>

Cc: Ammon Hansen <ahansen@kmclaw.com>; Wade Woodard <wwoodard@kmclaw.com>; Shannon Menard <smenard@kmclaw.com>; Madison Hyland <mhyland@kmclaw.com>; Nicholas Korst <nicholas.korst@acslawyers.com>

Subject: Expert disclosure deadlines and request for depo. dates

Lindsay,


In light of the last hearing before the Court on 7/7 and the judge's direction to try and reach a stipulation on Expert Witness Disclosures and Deadlines given the new trial date of 2/26 set forth in the 8/1 amended Scheduling Order, I am reaching out to determine if you would be amenable to moving Plaintiff's deadline to 12 weeks before trial (falling on 12/4); and Defendant's expert disclosure deadline to 12/11 (11 weeks before trial); Plaintiff's rebuttal expert disclosures due 12/18. Depositions of all experts to be completed by 1/26/24. I also propose modifying the Written Discovery deadline, allowing written discovery to be served up until 8 weeks before trial, with responses due on an expedited basis 3 weeks later. Please let me know your thoughts on this proposal.

Also, I am writing to request witness availability for depositions. Specifically, we would like to take the 30(b)(6) deposition of Strider on 8/31, 9/5, or 9/13; and the depositions of Mr. Pita and Mr. Rohrbach on Sept. 19, 20, or 21. Please let me know if any of these dates do NOT work for you and the witnesses.

The 30(b)(6) topics are attached in the draft notice.

Thanks,

Jennifer


Boise Office
1100 W. Idaho St. #930
Boise, ID 83702

Jennifer Reinhardt-Tessmer
Shareholder

d 208.370.3323

c [208.957.3939](tel:208.957.3939)

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EXHIBIT F

From: [Jennifer Reinhardt-Tessmer](#)
To: [Joe Meuleman](#)
Cc: [Lindsay Watkins](#); [Madison Hyland](#)
Subject: strider evidence
Date: Thursday, August 24, 2023 5:38:00 PM
Attachments: [image001.png](#)

Hi Joe –

Our expert will be here Sept. 13th to inspect the evidence. It's my understanding it's being kept at your office. Can I plan to pick it up the evening of 9/12 or morning of 9/13 and return it at the end of the day? Thanks.



Boise Office
1100 W. Idaho St. #930
Boise, ID 83702
kmclaw.com

Jennifer Reinhardt-Tessmer
Shareholder

d 208.370.3323
c [208.957.3939](tel:208.957.3939)
jtessmer@kmclaw.com

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EXHIBIT G

From: [Lindsay Watkins](#)
To: [Jennifer Reinhardt-Tessmer](#); [Joe Meuleman](#)
Cc: [Madison Hyland](#)
Subject: RE: strider evidence
Date: Monday, September 4, 2023 12:55:33 PM
Attachments: [image001.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

CAUTION: EXTERNAL

Jennifer,

I was looking 9/13 but that date does not work for Strider. If you want to review it on that date, it is available in Wenatchee, WA as stated in the discovery responses. My recommendation is that the J-Seal be reviewed during the site inspection in November. Do you have a response to my previous email on that topic? We also do not agree to it be taken off site.



Lindsay Watkins
lindsay.watkins@acslawyers.com

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From: Jennifer Reinhardt-Tessmer <jtessmer@kmclaw.com>
Sent: Monday, September 4, 2023 11:18 AM
To: Joe Meuleman <jmeuleman@meulemanlaw.com>
Cc: Lindsay Watkins <lindsay.watkins@acslawyers.com>; Madison Hyland <mhyland@kmclaw.com>
Subject: RE: strider evidence

Joe and Lindsay –

Our expert has booked his travel for the evidence inspection. To confirm your discovery response is still accurate, the physical evidence in your possession consists only of old and new J-seal material. Please let me know asap if this is incorrect so he can plan accordingly. Thank you.

Jennifer


Jennifer Reinhardt-Tessmer

Shareholder

d 208.370.3323

c 208.957.3939

From: Jennifer Reinhardt-Tessmer

Sent: Thursday, August 24, 2023 5:38 PM


To: Joe Meuleman <jmeuleman@meulemanlaw.com>

Cc: Lindsay Watkins <lindsay.watkins@acslawyers.com>; Madison Hyland <mhyland@kmclaw.com>

Subject: strider evidence

Hi Joe –

Our expert will be here Sept. 13th to inspect the evidence. It's my understanding it's being kept at your office. Can I plan to pick it up the evening of 9/12 or morning of 9/13 and return it at the end of the day? Thanks.


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EXHIBIT H

From: [Jennifer Reinhardt-Tessmer](#)
To: [Lindsay Watkins](#); [Joe Meuleman](#)
Cc: [Madison Hyland](#); [Steven Andersen](#); [David Gardner](#); [Nicholas Korst](#)
Subject: RE: strider evidence
Date: Monday, September 4, 2023 4:15:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Lindsay,

Please provide dates when the evidence will be Joe's office in Boise in Sept. before the scheduled depositions on 9/20.

Jennifer Reinhardt-Tessmer

Shareholder

d 208.370.3323

c 208.957.3939

From: Lindsay Watkins <lindsay.watkins@acslawyers.com>
Sent: Monday, September 4, 2023 2:45 PM
To: Jennifer Reinhardt-Tessmer <jtessmer@kmclaw.com>; Joe Meuleman <jmeuleman@meulemanlaw.com>
Cc: Madison Hyland <mhyland@kmclaw.com>; Steven Andersen <sandersen@kmclaw.com>; David Gardner <dgardner@kmclaw.com>; Nicholas Korst <nicholas.korst@acslawyers.com>
Subject: RE: strider evidence

CAUTION: EXTERNAL

Jennifer,

I disagree with the contentions in your email below.

As you quote, the discovery response provides that the J seal would be available at a mutually agreeable time at either the Wenatchee office or the Boise office. You just recently requested that they be made available on a single date in Boise. That date in Boise is **not** a mutually agreeable time for Strider. That date can occur, however, in Wenatchee. This response is entirely consistent with the discovery responses and Strider's obligations. You indicate your expert is flying, you have provided no basis for why the inspection cannot occur in Wenatchee. If the inspection must occur in Boise, I will review with Strider and provide some available dates. I am not aware of a mutually agreeable date before the deposition. We can discuss some additional dates for the deposition if that is an issue. If you need to inspect before the deposition, the J Seal is available in Wenatchee.

As you recall the Judge also indicated that there is likely additional J seal located at the disposal site. If you need that location, I can get that information as well.

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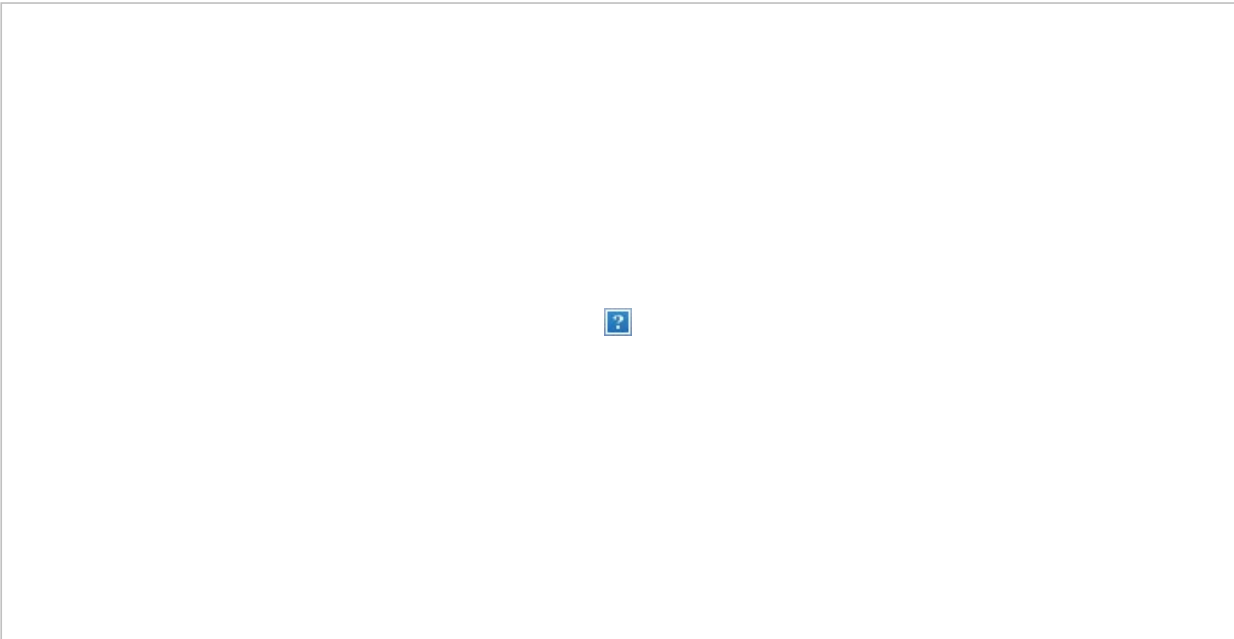
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Knowing that the depositions of your clients are approaching, I have reached out to schedule the inspections. I requested the evidence be available for inspection in Boise on 8/16. I emailed three times total about this and only now, nearly three weeks later after several exchanges, are you denying the request and without any justification and insisting again we travel to Winatchee. Not only is this unreasonable, it's inconsistent with your own discovery response. Further, the Striders' availability for my experts to inspect evidence is irrelevant. This is not a mutual exam. You have no right to "supervise" or observe our expert's non-destructive examination, nor do you have a right to witness our expert's exam on-

site at the dam. Your pattern of fighting every stage of discovery is a disservice to your clients and only serves to increase costs and delay proceedings. Please advise by tomorrow if the evidence will be made available with your local counsel where your client filed this action or if a motion to compel production will be required. Please note we will need to delay depositions to accommodate the motion and examination of evidence.


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Jennifer Reinhardt-Tessmer
Shareholder
d 208.370.3323
c 208.957.3939

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Subject: strider evidence


Hi Joe –

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EXHIBIT I


From: [Jennifer Reinhardt-Tessmer](#)
To: [Lindsay Watkins](#)
Cc: [Joe Meuleman](#); [Madison Hyland](#); [Steven Andersen](#); [David Gardner](#); [Nicholas Korst](#); [Ashton Ruff](#)
Subject: RE: strider evidence
Date: Monday, September 11, 2023 10:06:00 AM
Attachments: [image001.png](#)

Lindsay –

You have still not provided any specifics regarding when the evidence will be available. As you know, you sought and were granted, a discovery extension to our formal discovery request back in July to inspect the physical evidence, on the basis that you were retaining local Boise counsel and that would impact your answer to the pending discovery request. You then provided a discovery request stating it would be available in Wenatchee or Boise with your newly retained Boise counsel, Joe Meuleman. Nearly a month ago, I emailed you advising I wanted to inspect the evidence in Boise ahead of the September depositions in Boise. This request went unanswered despite my numerous follow up emails until close to depositions, where now you are advising you will not make it available in Boise until sometime in November. You state it is available in Wenatchee but provide no specifics. Your offers as to when and where the evidence will be available is a moving target, and it's causing unreasonable delay. Additionally, your filing of a motion for protective order to move the depositions to a different state so closely to the scheduled depositions (and sending a notice for hearing *the day before* the scheduled depositions) makes it logistically impossible to proceed with the depositions without knowing with certainty how the court will rule – although we are confident the law is on our side and the judge will rule accordingly. As such, we are forced to vacate the depositions and will reschedule for a later date when these issues can be resolved.

As to the dam inspection, we are waiting on details from the new contractor who is charged with creating the new schedule, but I am told it will be in late December. As to your question of “what is possible” – I’m not exactly sure what you mean by that. If your expert(s) have any tests or inspections they wish to conduct at the dam, please advise immediately and we will request with the new contractor.

Jennifer


Jennifer Reinhardt-Tessmer
Shareholder
d 208.370.3323
c 208.957.3939

From: Lindsay Watkins <lindsay.watkins@acslawyers.com>
Sent: Friday, September 8, 2023 4:26 PM
To: Jennifer Reinhardt-Tessmer <jtessmer@kmclaw.com>
Cc: Joe Meuleman <jmeuleman@meulemanlaw.com>; Madison Hyland <mhyland@kmclaw.com>; Steven Andersen <sandersen@kmclaw.com>; David Gardner <dgardner@kmclaw.com>; Nicholas Korst <nicholas.korst@acslawyers.com>

Subject: Re: strider evidence

CAUTION: EXTERNAL

Jennifer,

As I indicated in my earlier email, there is not a mutually agreeable date in Boise for the J Seal inspection prior to the scheduled dep. Again, however, it has been and is available for inspection in Wenatchee prior to the noted deps. Let me know if there is a date that works for you to confirm.

We do intend to submit a motion for partial summary judgment to be heard November 8 at 4pm, so provided that date is not modified, that would be a mutually agreeable date for inspection in Boise or as previously proposed, during the site visit. If you want to move the depositions until after that I can check on availability. Also, I have yet to hear back on my email regarding the site inspection. When will you be providing an update and additional detail as to the site inspection?

Lindsay Watkins

lindsay.watkins@acslawyers.com

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On Sep 4, 2023, at 4:16 PM, Jennifer Reinhardt-Tessmer <jtessmer@kmclaw.com> wrote:

Lindsay,

Please provide dates when the evidence will be Joe's office in Boise in Sept. before the scheduled depositions on 9/20.

<image001.png>

Jennifer Reinhardt-Tessmer

Shareholder

d 208.370.3323

c 208.957.3939

From: Lindsay Watkins <lindsay.watkins@acslawyers.com>

Sent: Monday, September 4, 2023 2:45 PM

To: Jennifer Reinhardt-Tessmer <jtessmer@kmclaw.com>; Joe Meuleman <jmeuleman@meulemanlaw.com>

Cc: Madison Hyland <mhyland@kmclaw.com>; Steven Andersen <sandersen@kmclaw.com>; David Gardner <dgardner@kmclaw.com>; Nicholas Korst <nicholas.korst@acslawyers.com>

Subject: RE: strider evidence

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Jennifer,

I disagree with the contentions in your email below.

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[<image002.png>](#)

[<image003.png>](#)

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[<image004.png>](#)

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