

# **Exhibit A**

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10                   *Attorneys for the Plaintiff*

11                   **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**  
12                   **IN AND FOR THE COUNTY OF MARICOPA**

13                   GALLERY COMMUNITY ASSOCIATION,  
14                   an Arizona non-profit corporation,

15                   Plaintiff,

16                   v.

17                   K. HOVNANIAN AT GALLERY, LLC, an  
18                   Arizona limited liability company; K.  
19                   HOVNANIAN ARIZONA OPERATIONS,  
20                   LLC, an Arizona limited liability company; K.  
21                   HOVNANIAN DEVELOPMENTS OF  
22                   ARIZONA, INC., an Arizona corporation; K.  
23                   HOVNANIAN COMPANIES OF ARIZONA,  
24                   LLC, an Arizona limited liability company;  
25                   JOHN DOES I-X AND JANE DOES I-X,  
26                   WHITE CORPORATIONS I-X; BLACK  
27                   PARTNERSHIPS I-X; AND GRAY LIMITED  
28                   LIABILITY COMPANIES I-X,

                    Defendants.

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                    K. HOVNANIAN AT GALLERY, LLC, an  
                    Arizona limited liability company; K.  
                    HOVNANIAN ARIZONA OPERATIONS,  
                    LLC, an Arizona limited liability company; K.  
                    HOVNANIAN DEVELOPMENTS OF  
                    ARIZONA, INC., an Arizona corporation; K.

Case No. CV2020-008714

Assigned to Hon. Michael Kemp

**PLAINTIFF’S FIRST  
SUPPLEMENTAL RULE 26.1  
DISCLOSURE STATEMENT**

1           13. Documents downloaded from City of Scottsdale Building Department  
2 website [GALLERY-BLDG DEPT 000001 – GALLERY-BLDG DEPT 001921].

3           14. Documents received from The Management Trust, the former property  
4 management company at The Gallery [GALLERY\_000001 – GALLERY\_000939].

5           15. Documents received from Gallery owners [GALLERY\_000940 –  
6 GALLERY\_001065].

7  
8           **16. SBSA Observation Drawing Set [GALLERY-SBSA\_004552 – GALLERY-**  
9 **SBSA004584]**

10           **17. SBSA Civil Repair Drawings [GALLERY-SBSA\_004628 – GALLERY-**  
11 **SBSA\_004631]**

12           **18. SBSA Defect Matrix [GALLERY-SBSA\_004585]**

13           **19. SBSA Photograph Log [GALLERY-SBSA\_000001 – GALLERY-**  
14 **SBSA\_000002]**

15           **20. SBSA Observation Photographs [GALLERY-SBSA\_000003 –**  
16 **GALLERY-SBSA\_004551]**

17           **21. SBSA Reference Table of Contents [GALLERY-SBSA\_004632 –**  
18 **GALLERY-SBSA\_004634]**

19           **22. SBSA Reference Materials [GALLERY-SBSA\_004635 – GALLERY-**  
20 **SBSA\_004951]**

21           **23. SBSA Rate Sheet [GALLERY-SBSA\_005160]**

22           Bates labeled documents described above can be downloaded using the following link:

23           [https://www.dropbox.com/sh/plc46yblquj43lk/AAAdZ2x9z8IBPDOUMBMC0\\_L0a?dl=0](https://www.dropbox.com/sh/plc46yblquj43lk/AAAdZ2x9z8IBPDOUMBMC0_L0a?dl=0)

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**IX. OTHER RELEVANT DOCUMENTS**

At this time, the Association is not aware of other relevant documents which are not listed above.

RESPECTFULLY SUBMITTED this 23rd day of June, 2021.

BURG | SIMPSON | ELDREDGE | HERSH | JARDINE PC

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37 Jessica Harmon  
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# **Exhibit B**

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K Hov adv Gallery 2259 DIW BJS MAC HJM  
07-23-21 Plt 2nd Suppl Discl Stmt  
No Docketing

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8 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**  
9 **IN AND FOR THE COUNTY OF MARICOPA**

10 GALLERY COMMUNITY ASSOCIATION,  
11 an Arizona non-profit corporation,

12 Plaintiff,

13 v.

14 K. HOVNANIAN AT GALLERY, LLC, an  
15 Arizona limited liability company; K.  
16 HOVNANIAN ARIZONA OPERATIONS,  
17 LLC, an Arizona limited liability company; K.  
18 HOVNANIAN DEVELOPMENTS OF  
19 ARIZONA, INC., an Arizona corporation; K.  
20 HOVNANIAN COMPANIES OF ARIZONA,  
21 LLC, an Arizona limited liability company;  
22 JOHN DOES I-X AND JANE DOES I-X,  
23 WHITE CORPORATIONS I-X; BLACK  
24 PARTNERSHIPS I-X; AND GRAY LIMITED  
25 LIABILITY COMPANIES I-X,

26 Defendants.

27  
28 

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K. HOVNANIAN AT GALLERY, LLC, an  
Arizona limited liability company; K.  
HOVNANIAN ARIZONA OPERATIONS,  
LLC, an Arizona limited liability company; K.  
HOVNANIAN DEVELOPMENTS OF  
ARIZONA, INC., an Arizona corporation; K.

Case No. CV2020-008714

Assigned to Hon. Michael Kemp

**PLAINTIFF'S SECOND  
SUPPLEMENTAL RULE 26.1  
DISCLOSURE STATEMENT**

1 The Association discloses the following areas of expert testimony:

2 (1) The nature and extent of the construction defects at issue in this case,  
3 including the investigation performed, the defective conditions observed,  
4 including resultant damage, the appropriate and relevant design and construction  
5 standards, and a repair methodology to remedy the defective construction and  
6 repair the resultant damage which includes removing and putting back certain non-  
7 defective materials.

8 (2) The cost, including time, materials, and labor, of performing the repairs  
9 needed to remedy the construction defects at issue in this case.

## 10 **VII. DAMAGES**

11 The Association's damages include the cost of repairing the defects, the cost of  
12 repairing resultant damage caused by the defects, and the cost of the expert investigation.  
13 The Association is also entitled to its attorneys' fees pursuant to A.R.S. § 12-341.01 and  
14 the terms of the contract with K. Hovnanian at Gallery, LLC.

15 *The Association's damages also include the cost of repairing prior negligent*  
16 *repairs by Defendants to the pool canopy drywall and the stucco at the top of the*  
17 *adjacent stair walls located between the buildings, and the cost to repair the following*  
18 *conditions: defective pool lights, defective pool fireplace, defective pedestrian gate,*  
19 *defective entrance gate, dead trees and plants, defective irrigation, and standing water*  
20 *at monument sign and rear of project.*

## 21 **VIII. TANGIBLE EVIDENCE**

22 1. Construction and Design Compliance Report ~~to be provided~~ by Ed  
23 Fronapfel of SBSA, Inc., dated June 23, 2021 [GALLERY-SBSA\_004952 – GALLERY-  
24 SBSA\_005159]

25 2. Cost of repair estimate to be provided by Steve Gustafson of Nautilus  
26 Building Consultants [GALLERY-NAUTILUS\_000010 – GALLERY-NBC\_000022].

27 3. Curriculum Vitae of Edward Fronapfel of SBSA [GALLERY-  
28 SBSA\_004586 – GALLERY-SBSA\_004627]

- 1           4.       Curriculum Vitae *and Testimony History* of Steve Gustafson of Nautilus  
2 Building Consultants [*GALLERY-NBC\_000001 - GALLERY-NBC\_000005*].
- 3           5.       Reports of all other experts disclosed by other parties.
- 4           6.       Condominium declaration, including all amendments, for the Association.
- 5           7.       All plans, correspondence, and other documents related to the design and  
6 construction of The Gallery.
- 7           8.       All correspondence, submittals, and other documentation generated by the  
8 defendants related to The Gallery.
- 9           9.       All correspondence, submittals, and other documentation generated by  
10 third-party defendants related to The Gallery.
- 11          10.      Contracts and/or subcontracts between K. Hovnanian and its subcontractors  
12 and suppliers.
- 13          11.      Relevant excerpts from the building code.
- 14          12.      Installation instructions and other documentation from product  
15 manufacturers regarding materials used at The Gallery.
- 16          13.      Documents downloaded from City of Scottsdale Building Department  
17 website [*GALLERY-BLDG DEPT 000001 – GALLERY-BLDG DEPT 001921*].
- 18          14.      Documents received from The Management Trust, the former property  
19 management company at The Gallery [*GALLERY\_000001 – GALLERY\_000939*] *and*  
20 [*GALLERY\_001066 - GALLERY\_002648*].
- 21          15.      Documents received from Gallery owners [*GALLERY\_000940 –*  
22 *GALLERY\_001065*] *also marked* [*GALLERY-CHANG\_3112-000001 - GALLERY-*  
23 *CHANG\_3112-000006*], [*GALLERY-JONES\_3104-000001 - GALLERY-*  
24 *JONES\_3104-000009*], [*GALLERY-LINE\_3110-000001 - GALLERY-LINE\_3110-*  
25 *000004*], [*GALLERY-SLUSARZ-000001 - GALLERY-SLUSARZ-000025*], *and*  
26 [*GALLERY-STAVROFF\_3124-000001 - GALLERY-STAVROFF\_3124-000082*].
- 27          16.      SBSA Observation Drawing Set [*GALLERY-SBSA\_004552 –*  
28 *GALLERY-SBSA004584*].



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27 /s/ Jessica Harmon \_\_\_\_\_  
28 Jessica Harmon

# **Exhibit C**

1                   **BURG SIMPSON ELDREDGE**  
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10                   *Attorneys for the Plaintiff*

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14                   an Arizona non-profit corporation,

15   Plaintiff,

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25                   JOHN DOES I-X AND JANE DOES I-X,  
26                   WHITE CORPORATIONS I-X; BLACK  
27                   PARTNERSHIPS I-X; AND GRAY LIMITED  
28                   LIABILITY COMPANIES I-X,

   Defendants.

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   LLC, an Arizona limited liability company; K.  
   HOVNANIAN DEVELOPMENTS OF  
   ARIZONA, INC., an Arizona corporation; K.

Case No. CV2020-008714

Assigned to Hon. Katherine Cooper

**PLAINTIFF’S EIGHTH  
SUPPLEMENTAL RULE 26.1  
DISCLOSURE STATEMENT**

1 material is inadvertently produced, request is made that the person or party receiving the  
2 information return the material to the Association's counsel immediately without copying  
3 or reading it, sharing it with others, in conformity with applicable ethical principles.

4 43. Photograph received from Gallery owner for unit 3116 [GALLERY-  
5 SLUSARZ-000026].

6 44. Photographs received from Gallery owner for unit 3112 [GALLERY-  
7 CHANG\_3112-000007 - GALLERY-CHANG\_3112-000008].

8 45. Temporary Repair Photographs taken by Nautilus Building Company at  
9 unit 3112 on August 31, 2021 [GALLERY-NBC\_005052 - GALLERY-NBC\_005063].

10 46. Documents received from AMCOR, the current property management  
11 company at The Gallery [GALLERY\_006423 – GALLERY\_006433].

12 47. A supplemental privilege log, dated September 22, 2021, listing additional  
13 documents withheld or redacted on the basis of privilege. The inadvertent production of  
14 any document, writing or other tangible thing that is not subject to disclosure or  
15 discovery is not intended nor shall it effect the waiver of any potentially applicable  
16 privilege or immunity from discovery/disclosure. If such material is inadvertently  
17 produced, request is made that the person or party receiving the information return the  
18 material to the Association's counsel immediately without copying or reading it, sharing  
19 it with others, in conformity with applicable ethical principles.

20 48. *Photographs received from Gallery owner unit 3106 [GALLERY-  
21 FISCHER\_3106-000013 - GALLERY-FISCHER\_3106-000022].*

22 49. *Repair Invoice from Nautilus General Contractors, Inc., dated September  
23 30, 2021 for leaks at Gallery units 3104, 3106, 3110 and 3112 [GALLERY-  
24 NBC\_005064 - GALLERY-NBC\_005075].*

25 50. *Supplemental Construction and Design Compliance Report by Ed  
26 Fronapfel of SBSA, Inc., dated October 14, 2021 [GALLERY-SBSA\_005163 –  
27 GALLERY-SBSA\_005192].*

28



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5 *Roofing*

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13 *Attorneys for Third-Party Defendant, SARGON*  
14 *MASONRY CONSTRUCTION, LLC*

15 /s/ Jessica Harmon \_\_\_\_\_  
16 Jessica Harmon

# **Exhibit D**

1                   **BURG SIMPSON ELDREDGE**  
2                   **HERSH & JARDINE P.C.**

3                   8310 South Valley Highway, Suite 270  
4                   Englewood, CO 80112  
5                   Phone: (303) 792-5595  
6                   Fax: (303) 708-0527  
7                   Craig S. Nuss – 033839  
8                   Penny J. Manship – 034985  
9                   pmanship@burgsimpson.com

10                   *Attorneys for the Plaintiff*

11                   **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**  
12                   **IN AND FOR THE COUNTY OF MARICOPA**

13                   GALLERY COMMUNITY ASSOCIATION,  
14                   an Arizona non-profit corporation,

15                   Plaintiff,

16                   v.

17                   K. HOVNANIAN AT GALLERY, LLC, an  
18                   Arizona limited liability company; K.  
19                   HOVNANIAN ARIZONA OPERATIONS,  
20                   LLC, an Arizona limited liability company; K.  
21                   HOVNANIAN DEVELOPMENTS OF  
22                   ARIZONA, INC., an Arizona corporation; K.  
23                   HOVNANIAN COMPANIES OF ARIZONA,  
24                   LLC, an Arizona limited liability company;  
25                   JOHN DOES I-X AND JANE DOES I-X,  
26                   WHITE CORPORATIONS I-X; BLACK  
27                   PARTNERSHIPS I-X; AND GRAY LIMITED  
28                   LIABILITY COMPANIES I-X,

                    Defendants.

---

                    K. HOVNANIAN AT GALLERY, LLC, an  
                    Arizona limited liability company; K.  
                    HOVNANIAN ARIZONA OPERATIONS,  
                    LLC, an Arizona limited liability company; K.  
                    HOVNANIAN DEVELOPMENTS OF  
                    ARIZONA, INC., an Arizona corporation; K.

Case No. CV2020-008714

Assigned to Hon. Katherine Cooper

**PLAINTIFF'S TENTH  
SUPPLEMENTAL RULE 26.1  
DISCLOSURE STATEMENT**

- 1           51.    SBSA Observation Drawings [GALLERY-SBSA\_005193 – GALLERY-  
2 SBSA\_005197].
- 3           52.    SBSA Observation Photographs [GALLERY-SBSA\_005198 –  
4 GALLERY-SBSA\_005397].
- 5           53.    SBSA Reference Materials [GALLERY-SBSA\_005398].
- 6           54.    February 21, 2020 Association’s Response Letter to K. Hovnanian’s  
7 February 5, 2020 Notice of Intent to Repair [GALLERY\_006434 – GALLERY\_006438].
- 8           55.    July 31, 2019 K. Hovnanian Letter Requesting Inspections of Common  
9 Areas at Gallery Community Association [GALLERY\_006439].
- 10          56.    Certified Quit-Claim Deed dated October 6, 2016, recorded October 7,  
11 2016, between K. Hovnanian at Gallery, LLC and Gallery Community Association  
12 [GALLERY\_006440 – GALLERY\_006442].
- 13          57.    *Preliminary cost of repair estimate provided by Steve Gustafson of*  
14 *Nautilus Building Consultants revised as of November 8, 2021 [GALLERY-*  
15 *NBC\_005076 – GALLERY-NBC\_005092].*
- 16          58.    *Certified copy of Articles of Organization for K. Hovnanian at Gallery,*  
17 *LLC, dated June 5, 2015 [GALLERY\_006443 - GALLERY\_006446].*
- 18          59.    *Certified copy of Articles of Amendment for K. Hovnanian Arizona*  
19 *Operations, LLC, dated August 5, 2019 [GALLERY\_006447 - GALLERY\_006450].*
- 20          60.    *Certified copy of Articles of Amendment for K. Hovnanian Arizona*  
21 *Operations, LLC, dated November 4, 2019 [GALLERY\_006451 – GALLERY\_006454].*
- 22          61.    *Certified copy of Articles of Organization for K. Hovnanian Arizona*  
23 *Operations, LLC, dated August 11, 2003 [GALLERY\_006455 - GALLERY\_006462].*
- 24          62.    *Certified copy of Articles of Organization for K. Hovnanian Companies*  
25 *of Arizona, LLC, dated December 6, 2011 [GALLERY\_006463 – GALLERY\_006465].*
- 26          63.    *Certified copy of Articles of Amendment for K. Hovnanian Phoenix*  
27 *Division, Inc., dated August 2, 2019 [GALLERY\_006466 - GALLERY\_00006469].*
- 28

1           **64.    Certified copy of Articles of Organization for K. Hovnanian Phoenix**  
2 **Division, Inc., dated August 11, 2003 [GALLERY\_006470 - GALLERY\_006478].**

3 Bates labeled documents described above can be downloaded using the following link:

4 [https://www.dropbox.com/sh/9pyw2jaencnin0q/AAA\\_6ddOOz\\_zhgoODtSfCaW9a?dl=0](https://www.dropbox.com/sh/9pyw2jaencnin0q/AAA_6ddOOz_zhgoODtSfCaW9a?dl=0)

5 **IX.    OTHER RELEVANT DOCUMENTS**

6           At this time, the Association is not aware of other relevant documents which are  
7 not listed above.

8  
9           RESPECTFULLY SUBMITTED this 11th day of November, 2021.

10                                   BURG | SIMPSON | ELDREDGE | HERSH | JARDINE PC

11                                   By: /s/ Penny Manship

12                                   Craig S. Nuss, Esq.  
13                                   Penny J. Manship, Esq.  
14                                   8310 South Valley Highway, Suite 270  
15                                   Englewood, CO 80112  
16                                   (303) 792-5595  
17                                   (303) 708-0527 (fax)  
18                                   pmanship@burgsimpson.com  
19                                   Attorneys for the Plaintiff

1 The foregoing E-MAILED this  
2 11th day of November 2021 to:

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13 *Arizona Operations, LLC; K. Hovnanian*  
14 *Developments of Arizona, Inc.; K. Hovnanian*  
15 *Companies of Arizona, LLC*

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27 *Arizona Operations, LLC; K. Hovnanian*  
28 *Developments of Arizona, Inc.; K. Hovnanian*  
*Companies of Arizona, LLC*

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36 *Inc.*

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3 Jaburg & Wilk, P.C.  
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9 *Landscaping, Inc.*

10 Michael Ryan Williams, Esq. #029703  
11 Liberty Mutual Group Field Legal Offices  
12 P.O. Box 7218  
13 London, KY 40742  
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15 *Attorneys for Third Party Defendant Custom*  
16 *Leasing, Inc. d/b/a Home Builders Site Services*  
17 *of Arizona, LLC*

18 Michael A. Ludwig, Bar #015481  
19 Stephen F. Best, Bar #034976  
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25 [sbest@jshfirm.com](mailto:sbest@jshfirm.com)  
26 *Attorneys for Third-Party Defendant LeBlanc*  
27 *Building Co., Inc.*

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5 *Roofing*

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10 Phoenix, AZ 85012  
11 [lfink@springelfink.com](mailto:lfink@springelfink.com)  
12 [dschopick@springelfink.com](mailto:dschopick@springelfink.com)  
13 *Attorneys for Third-Party Defendant, SARGON*  
14 *MASONRY CONSTRUCTION, LLC*

15 /s/ Jessica Harmon \_\_\_\_\_  
16 Jessica Harmon

# **Exhibit E**

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FAX: (602) 476-7101  
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Mohamad H. Tokko, #033015  
[Mohamad.Tokko@raibarone.com](mailto:Mohamad.Tokko@raibarone.com)

*Attorney for Third-Party Defendant Desert Vista, Inc.*

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF MARICOPA**

GALLERY COMMUNITY  
ASSOCIATION, an Arizona non-profit  
corporation,

Plaintiff;

v.

K. HOVNANIAN AT GALLERY, LLC,  
an Arizona limited liability company; K.  
HOVNANIAN ARIZONA  
OPERATIONS, LLC, an Arizona limited  
liability company; K. HOVNANIAN  
DEVELOPMENTS OF ARIZONA, INC.,  
an Arizona corporation; K.  
HOVNANIAN COMPANIES OF  
ARIZONA, LLC, an Arizona limited  
liability company; JOHN DOES I-X AND  
JANE DOES I-X, WHITE  
COPRPORATIONS I-X ; BLACK  
PARTNERSHIPS I-X; AND GRAY  
LIMITED LIABILITY COMPANIES I-  
X,

Defendants.

---

K. HOVNANIAN AT GALLERY, LLC,  
an Arizona limited liability company; K.  
HOVNANIAN ARIZONA  
OPERATIONS, LLC, an Arizona limited

NO. CV2020-008714

**THIRD-PARTY DEFENDANT DESERT  
VISTA, INC.'S INITIAL RULE 26.1  
DISCLOSURE STATEMENT**

*(Assigned to the Honorable Michael Kemp)*

1 subject to available objections, even if later withdrawn.

2 6. Any and all documents, evidence, exhibits, or other materials produced through  
3 subsequent discovery and produced by other parties, subject to available objections, even if  
4 later withdrawn.

5 7. Any and all exhibits listed by any other party, even if later withdrawn, subject  
6 to available objections.

7 8. Any and all discovery responses, even if later withdrawn, subject to available  
8 objections.

9 9. Any other relevant tangible evidence or documents as they are provided through  
10 discovery or otherwise come to light.

11 **IX. INSURANCE AGREEMENT**

12 During the relevant timeframe, Desert Vista was insured under the following general  
13 liability insurance policies:

14 United Specialty Insurance Company, Policy Number ANT-ATL1750809, effective  
15 December 7, 2017 through December 7, 2018. (Bates Stamp Nos.: DV 000962 – 001017).

16  
17 **DATED** this 23<sup>rd</sup> day of November, 2021.

18 **RAI & BARONE, P.C.**

19  
20 By: /s/ Mohamad Tokko

21 Shannon Huff

22 Mohamad H. Tokko

23 *Attorneys for Third-Party Defendant Desert*  
24 *Vista, Inc.*  
25

**ORIGINAL** of the foregoing e-mailed  
This 23<sup>rd</sup> day of November 2021, to:

*(See Attached Service List)*

By: /s/ Tracy L. O'Brien

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## Service List

### *Gallery Community Association v. K. Hovnanian at Gallery, LLC*

**CV2020-008714**

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<p>Teresa Hayashi Wales <b>WELSH LAW GROUP, PLC</b> 11811 North Tatum Blvd. Suite P125 Phoenix, AZ 85028</p>	<p><i>Attorneys for Third-Party Defendant Chas Roberts Air Conditioning, Inc.</i></p>	<p><a href="mailto:twales@welshlawgroup.com">twales@welshlawgroup.com</a></p>
<p>Tom Shorall Jason Boblick <b>SHORALL MCGOLDRICK BRINKMAN</b> 1232 E. Missouri Ave. Phoenix, AZ 85014</p>	<p><i>Attorneys for Third-Party Defendants Liberty Constructors</i></p>	<p><a href="mailto:tomshorall@smbattorneys.com">tomshorall@smbattorneys.com</a> <a href="mailto:jasonboblick@smbattorneys.com">jasonboblick@smbattorneys.com</a> <a href="mailto:chrissyverdino@smbattorneys.com">chrissyverdino@smbattorneys.com</a></p>

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Michael Williams <b>Liberty Mutual Group Field Offices</b>	<i>Attorney for Custom Leasing</i>	<a href="mailto:Michaelr.williams@libertymutual.com">Michaelr.williams@libertymutual.com</a>

# **Exhibit F**

## Amy M. Wilkens

---

**From:** Zoom <no-reply@zoom.us>  
**Sent:** Thursday, December 9, 2021 1:47 PM  
**To:** Amy M. Wilkens  
**Subject:** Rai & Barone has joined your meeting - Gallery Expert Meeting



Hi Amy Wilkens,

Rai & Barone has joined your meeting:

**Topic**            **Gallery Expert Meeting**  
**Meeting ID**      868 9761 3993  
**Time**             Dec 9, 2021 02:00 PM Arizona

[Start Meeting](#)

Thank you for choosing Zoom.  
-The Zoom Team



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## Amy M. Wilkens

---

**From:** Tracy O'Brien <tracy.obrien@raibarone.com>  
**Sent:** Friday, December 3, 2021 1:02 PM  
**To:** Holly P. Davies; Amy M. Wilkens  
**Cc:** Shannon Huff; Mohamad Tokko  
**Subject:** Desert Vista adv. K. Hovnanian (Gallery)/Call-In Instructions for Expert Call

Good Afternoon,

Please use the information below for the conference call between experts for K. Hovnanian and Desert Vista scheduled for **Thursday, December 9, 2021 at 2:00 p.m.:**

Call-In: (267) 807-9605  
Access Code: 100731860

If you have any questions, or need any further information, please contact our office.

Thank you,

*Tracy O'Brien*



*3033 N. Central Ave.*

*Ste. 500*

*Phoenix, AZ 85012*

*(602) 476-7100*

*(602) 476-7101 FAX*

*[Tracy.Obrien@raibarone.com](mailto:Tracy.Obrien@raibarone.com)*

---

This email has been scanned for spam and viruses by Proofpoint Essentials. Click [here](#) to report this email as spam.

# **Exhibit G**

## Amy M. Wilkens

---

**From:** Shannon Huff <shannon.huff@raibarone.com>  
**Sent:** Friday, February 18, 2022 12:07 PM  
**To:** Amy M. Wilkens  
**Cc:** Mercedes LaPorchia  
**Subject:** RE: Gallery - LeBlanc Extension Request

You may sign for me, thanks!

---

**From:** Amy M. Wilkens <AWilkens@lorberlaw.com>  
**Sent:** Friday, February 18, 2022 12:04 PM  
**To:** Penny J. Manship <PManship@burgsimpson.com>  
**Cc:** lfink@springelfink.com; dschopick@springelfink.com; ccc@jaburgwilk.com; aah@jaburgwilk.com; mludwig@jshfirm.com; sbest@jshfirm.com; tomshorall@smbattorneys.com; jasonboblick@smbattorneys.com; Shannon Huff <shannon.huff@raibarone.com>; Mohamad Tokko <Mohamad.Tokko@raibarone.com>; PhoenixLocal@libertymutual.com; Jessica Harmon <JHarmon@burgsimpson.com>; Stephen Best <SBest@jshfirm.com>; Grace McGregor Osberg <gosberg@burgsimpson.com>; admin@wb-law.com; Diana Weeks <Dweeks@jshfirm.com>; twales@welshlawgroup.com; Sabine Asser King <SAsserKing@jshfirm.com>; barbaras@wb-law.com; diw@wb-law.com  
**Subject:** RE: Gallery - LeBlanc Extension Request

Thanks all. Apologies as we had some unforeseen delays. My office is sending out a supplemental disclosure with Bert Howe's report, repair estimate and allocation which I anticipate Monday. Please see the attached proposed stipulation re amending the scheduling order for this matter. The proposed dates are intended to address the additional expert discovery which has occurred and recent mediation efforts. Please advise if you are agreeable to the attached or have alternative dates to suggest.

Amy



**Amy Wilkens | Partner | Lorber, Greenfield & Polito, LLP** [www.lorberlaw.com](http://www.lorberlaw.com)  
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**New Mexico** | Main: 800-291-3062 | 820 Second Street NW, Albuquerque, NM 87102  
**Arizona | California | Colorado | Nevada | New Mexico | Oregon | Washington**

**COVID-19 EMERGENCY EMAIL CONTACT – [emergencycontacts@lorberlaw.com](mailto:emergencycontacts@lorberlaw.com)**

---

**From:** Penny J. Manship <[PManship@burgsimpson.com](mailto:PManship@burgsimpson.com)>  
**Sent:** Monday, February 14, 2022 4:45 PM  
**To:** Amy M. Wilkens <[AWilkens@lorberlaw.com](mailto:AWilkens@lorberlaw.com)>  
**Cc:** Stephen Best <[SBest@jshfirm.com](mailto:SBest@jshfirm.com)>; [twales@welshlawgroup.com](mailto:twales@welshlawgroup.com); [lfink@springelfink.com](mailto:lfink@springelfink.com); [dschopick@springelfink.com](mailto:dschopick@springelfink.com); [ccc@jaburgwilk.com](mailto:ccc@jaburgwilk.com); [aah@jaburgwilk.com](mailto:aah@jaburgwilk.com); [mludwig@jshfirm.com](mailto:mludwig@jshfirm.com); [sbest@jshfirm.com](mailto:sbest@jshfirm.com); [tomshorall@smbattorneys.com](mailto:tomshorall@smbattorneys.com); [jasonboblick@smbattorneys.com](mailto:jasonboblick@smbattorneys.com); [Shannon.Huff@raibarone.com](mailto:Shannon.Huff@raibarone.com); [Mohamad.Tokko@raibarone.com](mailto:Mohamad.Tokko@raibarone.com); [PhoenixLocal@libertymutual.com](mailto:PhoenixLocal@libertymutual.com); Jessica Harmon <[JHarmon@burgsimpson.com](mailto:JHarmon@burgsimpson.com)>; Grace McGregor Osberg <[gosberg@burgsimpson.com](mailto:gosberg@burgsimpson.com)>; [admin@wb-law.com](mailto:admin@wb-law.com); Diana Weeks <[Dweeks@jshfirm.com](mailto:Dweeks@jshfirm.com)>; Sabine Asser King <[SAsserKing@jshfirm.com](mailto:SAsserKing@jshfirm.com)>; [barbaras@wb-law.com](mailto:barbaras@wb-law.com); [diw@wb-law.com](mailto:diw@wb-law.com)  
**Subject:** RE: Gallery - LeBlanc Extension Request

Amy,  
Following up on the status of circulating new deadlines. I do not recall seeing anything yet.

**Penny J. Manship**  
**BURGSIMPSON**  
Telephone: (888) 895-2080  
Cell Phone: (818) 395-3999

---

**From:** Penny J. Manship  
**Sent:** Friday, February 4, 2022 4:30 PM  
**To:** Amy M. Wilkens <[AWilkens@lorberlaw.com](mailto:AWilkens@lorberlaw.com)>  
**Cc:** Stephen Best <[SBest@jshfirm.com](mailto:SBest@jshfirm.com)>; [twales@welshlawgroup.com](mailto:twales@welshlawgroup.com); [lfink@springelfink.com](mailto:lfink@springelfink.com);  
[dschopick@springelfink.com](mailto:dschopick@springelfink.com); [ccc@jaburgwilk.com](mailto:ccc@jaburgwilk.com); [aah@jaburgwilk.com](mailto:aah@jaburgwilk.com); [mludwig@jshfirm.com](mailto:mludwig@jshfirm.com); [sbest@jshfirm.com](mailto:sbest@jshfirm.com);  
[tomshorall@smbattorneys.com](mailto:tomshorall@smbattorneys.com); [jasonboblick@smbattorneys.com](mailto:jasonboblick@smbattorneys.com); [Shannon.Huff@raibarone.com](mailto:Shannon.Huff@raibarone.com);  
[Mohamad.Tokko@raibarone.com](mailto:Mohamad.Tokko@raibarone.com); [PhoenixLocal@libertymutual.com](mailto:PhoenixLocal@libertymutual.com); Jessica Harmon <[JHarmon@burgsimpson.com](mailto:JHarmon@burgsimpson.com)>;  
Grace McGregor Osberg <[gosberg@burgsimpson.com](mailto:gosberg@burgsimpson.com)>; [admin@wb-law.com](mailto:admin@wb-law.com); Diana Weeks <[Dweeks@jshfirm.com](mailto:Dweeks@jshfirm.com)>;  
Sabine Asser King <[SAsserKing@jshfirm.com](mailto:SAsserKing@jshfirm.com)>; [barbaras@wb-law.com](mailto:barbaras@wb-law.com); [diw@wb-law.com](mailto:diw@wb-law.com)  
**Subject:** Re: Gallery - LeBlanc Extension Request

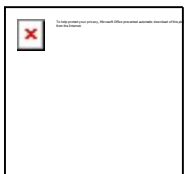
Plaintiff is in agreement for short extensions, including with respect to lay witness disclosures which would otherwise be due today.

Penny J. Manship

On Feb 4, 2022, at 4:25 PM, Amy M. Wilkens <[AWilkens@lorberlaw.com](mailto:AWilkens@lorberlaw.com)> wrote:

Following up with below, I'm hoping we'll have new dates circulated early next week. It looks like our current schedule has lay witness disclosure today and it's my intention that deadline would be extended briefly along with the others. Let me know if this presents a problem for anyone. Otherwise, I'll be in touch first thing next week.

Thanks,  
Amy



**Amy Wilkens | Partner | Lorber, Greenfield & Polito, LLP** [www.lorberlaw.com](http://www.lorberlaw.com)  
**Arizona** | Direct: 602-385-4446 | Main: 602-437-4177 | 3930 E. Ray Road, Ste. 260, Phoenix, AZ 85044  
**New Mexico** | Main: 505-307-4332 | 820 Second Street NW, Albuquerque, NM 87102  
**Arizona | California | Colorado | Nevada | New Mexico | Oregon | Washington**

**COVID-19 EMERGENCY EMAIL CONTACT – [emergencycontacts@lorberlaw.com](mailto:emergencycontacts@lorberlaw.com)**

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**From:** Amy M. Wilkens  
**Sent:** Friday, January 21, 2022 1:45 PM  
**To:** Stephen Best <[SBest@JSHFIRM.COM](mailto:SBest@JSHFIRM.COM)>; Penny J. Manship <[PManship@burgsimpson.com](mailto:PManship@burgsimpson.com)>;

[twales@welshlawgroup.com](mailto:twales@welshlawgroup.com); [lfink@springelfink.com](mailto:lfink@springelfink.com); [dschopick@springelfink.com](mailto:dschopick@springelfink.com);  
[ccc@jaburgwilck.com](mailto:ccc@jaburgwilck.com); [aah@jaburgwilck.com](mailto:aah@jaburgwilck.com); [mludwig@jshfirm.com](mailto:mludwig@jshfirm.com); [sbest@jshfirm.com](mailto:sbest@jshfirm.com);  
[tomshorall@smbattorneys.com](mailto:tomshorall@smbattorneys.com); [jasonboblick@smbattorneys.com](mailto:jasonboblick@smbattorneys.com); [Shannon.Huff@raibarone.com](mailto:Shannon.Huff@raibarone.com);  
[Mohamad.Tokko@raibarone.com](mailto:Mohamad.Tokko@raibarone.com); [PhoenixLocal@LibertyMutual.com](mailto:PhoenixLocal@LibertyMutual.com)

**Cc:** Jessica Harmon ([JHarmon@burgsimpson.com](mailto:JHarmon@burgsimpson.com)) <[JHarmon@burgsimpson.com](mailto:JHarmon@burgsimpson.com)>; Grace McGregor Osberg <[gosberg@burgsimpson.com](mailto:gosberg@burgsimpson.com)>; [admin@wb-law.com](mailto:admin@wb-law.com); Diana Weeks <[Dweeks@JSHFIRM.com](mailto:Dweeks@JSHFIRM.com)>; Sabine Asser King <[SAsserKing@JSHFIRM.COM](mailto:SAsserKing@JSHFIRM.COM)>; [barbaras@wb-law.com](mailto:barbaras@wb-law.com); [diw@wb-law.com](mailto:diw@wb-law.com)

**Subject:** RE: Gallery - LeBlanc Extension Request

All-

I'm copying everyone on this email, as Penny and I are discussing a brief extension to the deadlines in this matter to accommodate some expert and other discovery which has occurred, as well as efforts related to the recent mediation. We will circulate new dates shortly and that will include an extension of the third-party expert deadlines as well. So, Stephen, in response to your request, below, that's not a problem on my end given the foregoing.

Thank you,  
Amy

---

**From:** Stephen Best <[SBest@JSHFIRM.COM](mailto:SBest@JSHFIRM.COM)>

**Sent:** Wednesday, January 19, 2022 9:37 AM

**To:** [pmanship@burgsimpson.com](mailto:pmanship@burgsimpson.com); [diw@wb-law.com](mailto:diw@wb-law.com); [barbaras@wb-law.com](mailto:barbaras@wb-law.com)

**Cc:** Jessica Harmon ([JHarmon@burgsimpson.com](mailto:JHarmon@burgsimpson.com)) <[JHarmon@burgsimpson.com](mailto:JHarmon@burgsimpson.com)>; Grace McGregor Osberg <[gosberg@burgsimpson.com](mailto:gosberg@burgsimpson.com)>; [admin@wb-law.com](mailto:admin@wb-law.com); Amy M. Wilkens <[AWilkens@lorberlaw.com](mailto:AWilkens@lorberlaw.com)>; Diana Weeks <[Dweeks@JSHFIRM.com](mailto:Dweeks@JSHFIRM.com)>; Sabine Asser King <[SAsserKing@JSHFIRM.COM](mailto:SAsserKing@JSHFIRM.COM)>

**Subject:** Gallery - LeBlanc Extension Request

All,

Hope you are doing well. My expert recently left his firm for a new position. As such, he is experiencing difficulties with his prior firm transferring his files over to allow him to prepare his report for LeBlanc.

Is there any way I could get a two week extension until February 14<sup>th</sup> to allow my expert time to retrieve his file and prepare his report?

Regards,

<STEPHEN F. BEST | Associate

Jones, Skelton & Hochuli, P.L.C.

40 North Central Avenue, Suite 2700 | Phoenix, AZ 85004

P (602) 263-4431 | F (602) 200-7873

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## Amy M. Wilkens

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**From:** Shannon Huff <shannon.huff@raibarone.com>  
**Sent:** Tuesday, February 1, 2022 5:46 PM  
**To:** Amy M. Wilkens; Mohamad Tokko  
**Subject:** RE: Gallery - LeBlanc Extension Request

Hi Amy,

Thank you for the email. I missed this somehow in our disclosure shuffle last night. In any event, thank you for trying to reach out.

Thank you

---

**From:** Amy M. Wilkens <AWilkens@lorberlaw.com>  
**Sent:** Monday, January 31, 2022 6:19 PM  
**To:** Shannon Huff <shannon.huff@raibarone.com>; Mohamad Tokko <Mohamad.Tokko@raibarone.com>  
**Subject:** FW: Gallery - LeBlanc Extension Request

Shannon and Mohamad-

I wanted to touch base with you quick to make sure you received, below, as the parties were discussing pushing out deadlines to accommodate some continued expert discovery and post-mediation settlement negotiations which have taken place. This included kicking out third-party defendant expert disclosures after K Hov's experts allocation and supplemental report disclosure which I anticipate next week. Just wanted to give you a heads up as my office just received a supplemental disclosure with a Harrington report which I haven't reviewed it yet. Feel free to call me to discuss.

Thanks,  
Amy

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**From:** Amy M. Wilkens  
**Sent:** Friday, January 21, 2022 1:45 PM  
**To:** Stephen Best <[SBest@JSHFIRM.COM](mailto:SBest@JSHFIRM.COM)>; Penny J. Manship <[PManship@burgsimpson.com](mailto:PManship@burgsimpson.com)>; [twales@welshlawgroup.com](mailto:twales@welshlawgroup.com); [lfink@springelfink.com](mailto:lfink@springelfink.com); [dschopick@springelfink.com](mailto:dschopick@springelfink.com); [ccc@jaburgwilk.com](mailto:ccc@jaburgwilk.com); [aah@jaburgwilk.com](mailto:aah@jaburgwilk.com); [mludwig@jshfirm.com](mailto:mludwig@jshfirm.com); [sbest@jshfirm.com](mailto:sbest@jshfirm.com); [tomshorall@smbattorneys.com](mailto:tomshorall@smbattorneys.com); [jasonboblick@smbattorneys.com](mailto:jasonboblick@smbattorneys.com); [Shannon.Huff@raibarone.com](mailto:Shannon.Huff@raibarone.com); [Mohamad.Tokko@raibarone.com](mailto:Mohamad.Tokko@raibarone.com); [PhoenixLocal@LibertyMutual.com](mailto:PhoenixLocal@LibertyMutual.com)  
**Cc:** Jessica Harmon ([JHarmon@burgsimpson.com](mailto:JHarmon@burgsimpson.com)) <[JHarmon@burgsimpson.com](mailto:JHarmon@burgsimpson.com)>; Grace McGregor Osberg <[gosberg@burgsimpson.com](mailto:gosberg@burgsimpson.com)>; [admin@wb-law.com](mailto:admin@wb-law.com); Diana Weeks <[Dweeks@JSHFIRM.com](mailto:Dweeks@JSHFIRM.com)>; Sabine Asser King <[SAsserKing@JSHFIRM.COM](mailto:SAsserKing@JSHFIRM.COM)>; [barbaras@wb-law.com](mailto:barbaras@wb-law.com); [diw@wb-law.com](mailto:diw@wb-law.com)  
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**Cc:** Jessica Harmon ([JHarmon@burgsimpson.com](mailto:JHarmon@burgsimpson.com)) <[JHarmon@burgsimpson.com](mailto:JHarmon@burgsimpson.com)>; Grace McGregor Osberg <[gosberg@burgsimpson.com](mailto:gosberg@burgsimpson.com)>; [admin@wb-law.com](mailto:admin@wb-law.com); Amy M. Wilkens <[AWilkens@lorberlaw.com](mailto:AWilkens@lorberlaw.com)>; Diana Weeks <[Dweeks@JSHFIRM.com](mailto:Dweeks@JSHFIRM.com)>; Sabine Asser King <[SAsserKing@JSHFIRM.COM](mailto:SAsserKing@JSHFIRM.COM)>  
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**STEPHEN F. BEST** | Associate  
Jones, Skelton & Hochuli, P.L.C.  
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P (602) 263-4431 | F (602) 200-7873  
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