

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT**

ESTUARY TRANSIT DISTRICT AND
TEAMSTERS 671 HEALTH SERVICE &
INSURANCE PLAN, on behalf of themselves
and all others similarly situated,

Plaintiffs,

v.

HARTFORD HEALTHCARE CORPORATION,
HARTFORD HOSPITAL, HARTFORD
HEALTHCARE MEDICAL GROUP, INC.,
INTEGRATED CARE PARTNERS, LLC,

Defendants.

Case No.: 3:24-cv-01051 (SFR) (TOF)

**REPLY MEMORANDUM OF LAW IN FURTHER SUPPORT OF
PLAINTIFFS' MOTION TO COMPEL PRODUCTION OF
182 DOCUMENTS WITHHELD FOR PRIVILEGE**

TABLE OF CONTENTS

I. PRELIMINARY STATEMENT 1

II. ARGUMENT 2

 A. Plaintiffs Identified the Basis for Each Entry Challenged. 2

 B. Defendants’ Defense of Their Log as Facially Adequate Under Local Rule
 26 Does not Satisfy Their Burden..... 4

 C. At Minimum, *In Camera* Review is Warranted..... 7

 D. The Challenged Documents Are Identified in the Appendix Filed
 Herewith..... 8

III. CONCLUSION..... 8

TABLE OF AUTHORITIES

Cases

Bowne of New York City, Inc. v. AmBase Corp.,
150 F.R.D. 465 (S.D.N.Y. 1993)7

Hayden v. Int’l Bus. Machines Corp.,
No. 21 CIV. 2485, 2023 WL 4622914 (S.D.N.Y. July 14, 2023)4

Idenix Pharms, Inc. v. Gilead Scis., Inc.,
195 F. Supp. 3d 639 (D. Del. 2016).....4

In re Teleglobe Commc’ns Corp.,
392 B.R. 561 (Bankr. D. Del. 2008)5

Koumoulis v. Indep. Fin. Mktg. Grp., Inc.,
295 F.R.D. 28 (E.D.N.Y. 2013)4

NovaFund Advisors, LLC v. Capitala Grp., LLC,
No. 3:18-CV-01023 (MPS), 2021 WL 2109112 (D. Conn. May 25, 2021).....3, 6

United States v. Louisiana,
No. CIV.A. 11-470-JWD-RLB, 2015 WL 2453719 (M.D. La. May 22, 2015).....2, 3

Rules

D. Conn. L. Civ. R. 26 *passim*

I. PRELIMINARY STATEMENT

Defendants' opposition confirms Plaintiffs' Motion to Compel should be granted and that at a minimum the Court should conduct an *in camera* review. Defendants claim their privilege log is adequate because the entries formulaically recite the categories of information required under Local Rule 26. Defendants fail, however, to address the substantive deficiency that makes the privilege log unreliable: descriptions in the log do not reflect whether the documents were in fact generated for the predominant purpose of obtaining or providing legal advice. Furthermore, Defendants do not object "to the Court conducting *in camera* review of any or all" of the remaining documents Plaintiffs challenge. Opp. at 11.

This Court has already declined to credit one of Defendants' privilege claims. When Plaintiffs challenged Defendants' attempt to claw back certain messages within a document based on privilege, and Defendants defended the redactions by sworn affidavit, this Court granted Plaintiffs' motion to compel and held that, "[a]lthough sworn to under penalty of perjury," it was "unable to credit" the affidavit because the asserted legal advice was "entirely absent" from the document at issue. Order, March 6, 2026, Dkt. 141. That was not a one-off incident. Over the course of these ongoing privilege disputes, Defendants have downgraded and produced approximately 11,640 documents that they initially claimed were privileged. In other words, more than 22% of the entries on their log have been conceded as improper claims of privilege. See Mem. at 11. Even on the day that Defendants filed their opposition brief, insisting their log is reliable, they downgraded five more of the documents Plaintiffs moved to compel. Each of these entries superficially complied with Rule 26 and had been reviewed, by Defendants' own admission, at least three times by their attorneys. Notwithstanding, Defendants now concede each downgraded document or portion thereof was not in fact privileged.

This sequence of events illustrates the point of Plaintiffs’ motion: facial compliance with Rule 26 does not establish privilege where, as here, the log has proven unreliable each time it has been tested. Defendants’ remaining arguments also fail. Their contention that Plaintiffs failed to identify the challenged entries is both incorrect and, as to the inadvertently omitted appendix, cured herewith. Their insistence that this dispute concerns only the formal sufficiency of their log rebuts an argument Plaintiffs never made.

On the same date as this filing, Defendants produced an additional 67 documents from their privilege log, subject to an agreement that there would be no subject matter waiver. See Aff. of Matthew W. Ruan ISO of Reply IFSO Mot. to Compel Prod. of 182 Docs. Withheld for Privilege at ¶¶ 2-4. As a result, 110 documents—as opposed to 182—remain at issue.¹ Plaintiffs submit Appendix A to this Reply, which reflects the currently challenged entries as narrowed by Defendants’ recent production. For the reasons stated above, the Court should compel production of the 110 documents or, at a minimum, review them *in camera*.

II. ARGUMENT

A. Plaintiffs Identified the Basis for Each Entry Challenged.

Defendants argue that Plaintiffs cite only “34 unique privilege log identification numbers—fewer than 20% of the 182 log entries,” and that Plaintiffs ask the Court to “divine” which alleged deficiency applies to which entry. Opp. at 6. Defendants misconstrue the nature of Plaintiffs’ challenge.

Plaintiffs’ challenge is categorical, not entry-by-entry. The challenged entries fall into two groups: (1) attachment entries, for which Defendants have not established why the *attachment*

¹ Given the timing of this production by Defendants, Plaintiffs have not yet had an opportunity to review this production. Plaintiffs hereby reserve the right to challenge any documents that may have been produced in redacted form for which Plaintiffs disagree with the redactions made.

itself is privileged, as opposed to the parent communication; and (2) communications, for which Defendants have not established that the predominant purpose was obtaining or providing legal advice. *See* Mem. at 12–16. Plaintiffs need not address each entry individually in order to obtain relief; examples establishing the defect are sufficient. The specific entries Plaintiffs discuss in their brief illustrate these categorical defects: situations in which the purported attorney is merely copied on the communication, or a subject line and document title reflecting business rather than legal subject matter. *Id.* at 13–14.

Additionally, Defendants’ cited authorities do not support their position. For example, in *United States v. Louisiana*, the movant challenged an entire 2,302-page privilege log while only supplying “13 examples of ‘insufficient descriptions’ that apparently account for ‘hundreds if not thousands’” of unidentified entries, with “no actual citations” to the rest and no statements regarding how many entries were even at issue. No. CIV.A. 11-470-JWD-RLB, 2015 WL 2453719, at *2 (M.D. La. May 22, 2015). The court denied the motion to the extent it sought an entirely revised log, since it could only identify the deficient entries by reviewing the entire 2,302-page log itself, and permitted a renewed motion identifying “up to 40 specific entries.” *Id.* at *3. By contrast, Plaintiffs here do not challenge Defendants’ entire log. They challenge a defined set of 110 entries, identified by Bates number in Appendix A.

Defendants’ reliance on *NovaFund Advisors, LLC v. Capitala Grp., LLC*, No. 3:18-CV-01023 (MPS), 2021 WL 2109112, at *4 (D. Conn. May 25, 2021) (Farrish, J.) fares no better. Defendants claim *NovaFund* stands for the proposition that relief is denied where a movant offers “an exhibit of examples, rather than a complete list.” Opp. at 6. But that was not the basis of this Court’s ruling. In the passage Defendants rely upon, this Court explained that each challenged entry “contains the information required by D. Conn. L. Civ. R. 26(e),” and it declined to grant

relief “on the current record.” *NovaFund*, 2021 WL 2109112, at *4. On other entries, this Court found “sufficient reasons” to order *in camera* review of a sample, because the defendants produced one copy of a withheld email and it contained no legal advice. *Id.* at *3–4. The case therefore stands for the opposite of what Defendants suggest: a facially complete log is not the end of the inquiry. Once the record gives the Court reason to doubt the log, formulaic completeness does not save it.

B. Defendants’ Defense of Their Log as Facially Adequate Under Local Rule 26 Does not Satisfy Their Burden.

Much of Defendants’ brief attempts to show that the log entries track what Local Rule 26 requires. *See Opp.* at 8–11. Defendants claim that the challenged documents appear legal in nature on the face of the entries as written. *See id.* But as to the communications challenged for predominant purpose, Plaintiffs do not contend that the entries are facially deficient under the requirements of Rule 26. Instead, Plaintiffs maintain that the substantive determinations reflected in those entries cannot be credited. In addition, many of the remaining challenged entries have descriptions identical or nearly identical to entries for documents Defendants have already downgraded.

The attachment entries, on the other hand, fail because Defendants have not shown why the attachment, rather than the parent email, is privileged. *See Mem.* at 14–16. Defendants argue that Plaintiffs rely on the wrong standard, citing only *Idenix* rather than the governing rules. *Opp.* at 10. But this Court applied that standard to attachments in *NovaFund*, a case Defendants repeatedly rely on. Furthermore, *NovaFund* cites to *Idenix* itself, holding that privilege “is assessed separately for emails and attachments.” *NovaFund*, 2021 WL 2109112, at *1 (citing *Idenix Pharms, Inc. v. Gilead Scis., Inc.*, 195 F. Supp. 3d 639, 644 n.5 (D. Del. 2016)). And as Plaintiffs explained, every attachment is sent “in connection” with its parent; the fact that the description

recites those words does not establish that the attachment itself contains or was sent to obtain legal advice. *See* Mem. at 15.

The burden on Defendants is substantive, not formalistic. “The burden is on a party claiming the protection of a privilege to establish those facts that are the essential elements of the privileged relationship.” *Hayden v. Int’l Bus. Machines Corp.*, No. 21 CIV. 2485, 2023 WL 4622914, at *3 (S.D.N.Y. July 14, 2023) (internal quotation marks and citations omitted). While Defendants claim that Plaintiffs “do not dispute” the other elements of privilege and rest on predominant purpose alone, Opp. at 8, Defendants still have the burden of showing that the predominant purpose of each communication was legal “by competent and specific evidence, rather than by conclusory or ipse dixit assertions.” *Id.* As to purpose, Defendants only offer the recitals of a log the record has shown to be unreliable. Such *ipse dixit* is not enough, and “[a]ny ambiguities as to whether the essential elements have been met are construed against the party asserting the privilege.” *Koumoulis v. Indep. Fin. Mktg. Grp., Inc.*, 295 F.R.D. 28, 38 (E.D.N.Y. 2013), *aff’d*, 29 F. Supp. 3d 142 (E.D.N.Y. 2014).

This Court has already had occasion to test Defendants’ specific privilege assertions. When Defendants clawed back a document and defended the claim based on a Vice President’s sworn affidavit, the Court granted Plaintiffs’ motion to compel. The Court found it was “unable to credit” the representation because the email in question “asks for no action from the attorney” and the response concerned only “the business problem of how the communication would be received by its audience.” Order, March 6, 2026, Dkt. 141. That was not an isolated incident; Defendants’ putative review process has repeatedly mischaracterized business communications as legal ones. Defendants represented that all documents remaining on their privilege log have now been reviewed “on at least three separate occasions” by attorneys. *See* Mem. at 5. Given the deficiencies

presented, such repeated review is actually cause for greater concern. A process that examined these documents multiple times and still resulted in the erroneous designations warrants scrutiny, not deference.

Defendants also rely on *In re Teleglobe Commc'ns Corp.*, 392 B.R. 561 (Bankr. D. Del. 2008), but that case concerned whether over-designation of privileged documents established the “fault” required to mandate “production of all privileged documents.” *Id.* at 584. In this case, Plaintiffs have not moved for any such sanction and instead seek a ruling that Defendants have failed to meet their burden as to 110 specifically identified documents. Defendants also cite *Teleglobe* for the proposition that “[i]n complex litigation it is not unusual for counsel to claim privilege initially as to many documents which on further review are not covered and have to be produced.” *Id.* But this observation says nothing about whether Defendants have satisfied their burden as to the remaining challenged entries.

Moreover, the same day they filed their opposition, Defendants downgraded and produced five of the documents Plaintiffs have moved to compel, further confirming the log’s substantive unreliability. Those five entries had remained on the privilege log for months, surviving Defendants’ repeated re-reviews. In fact, Plaintiffs had specifically identified one of these documents, PLHHC-BROWN-0009797, in their opening memorandum, noting that the privilege log description is indistinguishable from entries Defendants had already conceded were not privileged, and that the attorney was merely copied. *See Mem.* at 7, 13 n.6. The other downgrades similarly track the deficiencies Plaintiffs have identified. *See Mem.* at 7, 12–13, 16. Defendants nonetheless maintained these privilege claims until the day they filed their responsive brief.

Notably, the descriptions for those five entries were just as facially compliant with Rule 26 as the entries challenged here. For example, entry PLHHC-BROWN-0009797 was logged as an

“Email requesting confidential legal advice of counsel regarding contract issues,” which is the same kind of description Defendants now ask the Court to accept at face value for the remaining documents. *See Mem.* at 7. Even though the entry facially complied with Rule 26 requirements, the document was nevertheless not privileged. Given this pattern, the Court cannot reasonably be expected to separate the properly privileged entries from the improperly withheld ones based on the face of the log.

C. At Minimum, *In Camera* Review is Warranted.

Defendants see no cost to review; the only question is whether to compel production outright. Although Defendants characterize *in camera* review as “unnecessary,” they also concede that they have “no objection” to the Court reviewing any or all of the remaining documents. *Opp.* at 11. Considering this assent, there is no countervailing party-specific burden for the Court to weigh. Instead, the burden at issue is the burden on the Court from conducting the *in camera* review. Plaintiffs submit that this burden is warranted based on the record, which demonstrates that Defendants’ privilege review has been conducted unreliably and should not be afforded deference.

Defendants’ own authority confirms that such review is warranted. In *NovaFund*, this Court ordered *in camera* review of samples of the defendants’ communications where an attorney was merely copied on the communications, the log failed to establish that the non-lawyer recipients had a “need to know” the legal advice purportedly conveyed, and where a description did not appear to match the document being withheld. 2021 WL 2109112, at *3–6. Each of those circumstances is present here. Plaintiffs challenge entries on which the supposed attorney is absent or merely copied, attachments the log never ties to any request for legal advice, and descriptions that cannot be reconciled with the documents they purport to describe. *See also Bowne of New York City, Inc. v. AmBase Corp.*, 150 F.R.D. 465, 475 (S.D.N.Y. 1993) (“[*In camera*] review may

be useful if there is a genuine dispute between the parties as to the accuracy of the withholding party's description of certain documents.""). If those features warranted *in camera* review in *NovaFund*, they warrant it here.

If anything, the case for review is even stronger here than in *NovaFund*. There, the Court inferred unreliability from the record. Here, unreliability is established by the record. This Court has already found that a document Defendants withheld contained no legal advice, even though that review was defended through a sworn affidavit. Order, Mar. 6, 2026, Dkt. 141. Moreover, Defendants have downgraded some 11,640 documents they once withheld as privileged, including five of the documents at issue, which they abandoned the day they filed their opposition. A log that has erred that often does not deserve deference. If the Court is not inclined to compel production outright, it should review the 110 documents, or a representative sample, *in camera*.

D. The Challenged Documents Are Identified in the Appendix Filed Herewith.

Defendants correctly note that the appendix identifying the challenged entries was not filed with Plaintiffs' moving papers. Opp. at 1 n.1, 5. But that inadvertent omission prejudiced no one. The complete list of challenged entries was attached to the Ruan Affidavit as Exhibit 31, from which Defendants were able to identify the documents at issue. Since Plaintiffs filed their moving papers, however, Defendants have downgraded and produced additional documents. Accordingly, Plaintiffs have updated Appendix A, filed herewith, to reflect the remaining challenged documents.

III. CONCLUSION

For the foregoing reasons, and those set forth in Plaintiffs' opening memorandum, the Court should grant Plaintiffs' motion and compel Defendants to produce the remaining 110 documents. In the alternative, the Court should conduct an *in camera* review and order the production of those it deems non-privileged.

Dated: June 1, 2026

Respectfully submitted,

/s/ Matthew W. Ruan

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Plan and the Proposed Class*

CERTIFICATE OF SERVICE

I hereby certify that on this day, a copy of the foregoing was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by email to all parties by operation of the Court's electronic filing system or by mail on anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

Dated this 1st day of June, 2026.

/s/ Matthew W. Ruan

Matthew W. Ruan (*pro hac vice*)

APPENDIX A

APPENDIX A: ENTRIES STILL IN DISPUTE AS OF JUNE 1, 2026

PLHHC-BROWN-000015	PLHHC-BROWN-001619
PLHHC-BROWN-000142	PLHHC-BROWN-001619
PLHHC-BROWN-000145	PLHHC-BROWN-001623
PLHHC-BROWN-000147	PLHHC-BROWN-001647
PLHHC-BROWN-000987	PLHHC-BROWN-001647
PLHHC-BROWN-000988	PLHHC-BROWN-001684
PLHHC-BROWN-000990	PLHHC-BROWN-001744
PLHHC-BROWN-001073	PLHHC-BROWN-001745
PLHHC-BROWN-001079	PLHHC-BROWN-001746
PLHHC-BROWN-001085	PLHHC-BROWN-001746
PLHHC-BROWN-001089	PLHHC-BROWN-001746
PLHHC-BROWN-001089	PLHHC-BROWN-001746
PLHHC-BROWN-001467	PLHHC-BROWN-001746
PLHHC-BROWN-001493	PLHHC-BROWN-001746
PLHHC-BROWN-001493	PLHHC-BROWN-001747
PLHHC-BROWN-001494	PLHHC-BROWN-001752
PLHHC-BROWN-001494	PLHHC-BROWN-001757
PLHHC-BROWN-001496	PLHHC-BROWN-001757
PLHHC-BROWN-001512	PLHHC-BROWN-001757
PLHHC-BROWN-001522	PLHHC-BROWN-001757
PLHHC-BROWN-001540	PLHHC-BROWN-001758
PLHHC-BROWN-001540	PLHHC-BROWN-001772
PLHHC-BROWN-001541	PLHHC-BROWN-001776
PLHHC-BROWN-001541	PLHHC-BROWN-001801
PLHHC-BROWN-001541	PLHHC-BROWN-001801
PLHHC-BROWN-001542	PLHHC-BROWN-001818
PLHHC-BROWN-001542	PLHHC-BROWN-002183
PLHHC-BROWN-001542	PLHHC-BROWN-002188
PLHHC-BROWN-001543	PLHHC-BROWN-002213
PLHHC-BROWN-001543	PLHHC-BROWN-002231
PLHHC-BROWN-001543	PLHHC-BROWN-002252
PLHHC-BROWN-001543	PLHHC-BROWN-002259
PLHHC-BROWN-001559	PLHHC-BROWN-002260
PLHHC-BROWN-001586	PLHHC-BROWN-002260
PLHHC-BROWN-001595	PLHHC-BROWN-002261
PLHHC-BROWN-001595	PLHHC-BROWN-002261
PLHHC-BROWN-001595	PLHHC-BROWN-002261
PLHHC-BROWN-001595	PLHHC-BROWN-002262
PLHHC-BROWN-001595	PLHHC-BROWN-002262
PLHHC-BROWN-001595	PLHHC-BROWN-002262
PLHHC-BROWN-001595	PLHHC-BROWN-002262
PLHHC-BROWN-001606	PLHHC-BROWN-002262
PLHHC-BROWN-001606	PLHHC-BROWN-002263
PLHHC-BROWN-001611	PLHHC-BROWN-002265

APPENDIX A: ENTRIES STILL IN DISPUTE AS OF JUNE 1, 2026

PLHHC-BROWN-002268
PLHHC-BROWN-002296
PLHHC-BROWN-002297
PLHHC-BROWN-002298
PLHHC-BROWN-002306
PLHHC-BROWN-002315
PLHHC-BROWN-002319
PLHHC-BROWN-002325
PLHHC-BROWN-002332
PLHHC-BROWN-002343
PLHHC-BROWN-004208
PLHHC-BROWN-004212
PLHHC-BROWN-004212
PLHHC-BROWN-004213
PLHHC-BROWN-004213
PLHHC-BROWN-004268
PLHHC-BROWN-004280
PLHHC-BROWN-004352
PLHHC-BROWN-004377
PLHHC-BROWN-004388
PLHHC-BROWN-004389
PLHHC-BROWN-004407
PLHHC-BROWN-004417
PLHHC-BROWN-004472

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT

ESTUARY TRANSIT DISTRICT AND
TEAMSTERS 671 HEALTH SERVICE &
INSURANCE PLAN, on behalf of themselves
and all others similarly situated,

Plaintiffs,

v.

HARTFORD HEALTHCARE CORPORATION,
HARTFORD HOSPITAL, HARTFORD
HEALTHCARE MEDICAL GROUP, INC.,
INTEGRATED CARE PARTNERS, LLC,

Defendants.

Case No.: 3:24-cv-01051 (SFR)

**AFFIDAVIT OF MATTHEW W. RUAN IN SUPPORT OF
REPLY IN FURTHER SUPPORT OF PLAINTIFFS' MOTION TO COMPEL
PRODUCTION OF 182 DOCUMENTS WITHHELD FOR PRIVILEGE**

I, Matthew W. Ruan, declare as follows:

1. I am a partner at Justice Jagher London & Millen LLC, counsel of record for Plaintiffs Estuary Transit District and Teamsters 671 Health Service & Insurance Plan (collectively, "Plaintiffs"). I am admitted *pro hac vice* to practice before this Court and submit this affidavit in support of Plaintiffs' Reply In Further Support of Motion to Compel Production of 182 Documents Withheld for Privilege. I have personal knowledge of the statements below and, if called as a witness, could and would give competent testimony as to the following facts.

2. On June 1, 2026, I met and conferred with Mr. Tom Dillickrath, counsel for Defendants, whereby the Parties agreed to narrow the scope of the present dispute by having Defendants produce approximately 70 documents under the mutual understanding that there would be no subject matter waiver caused by said production.

3. Later that same day, at 2:47 PM Mountain Time (4:47 PM Eastern Time), I received an email from Mr. Jason Hoggan, also counsel for Defendants, attaching a production letter whereby Defendants produced 67 documents previously withheld for privilege. A true and correct copy of that email is attached hereto as Exhibit 1.

4. A true and correct copy of the attachment to that email, the production letter described above, is attached hereto as Exhibit 2.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 1st day of June 2026, at Denver, Colorado.

/s/ Matthew W. Ruan

Matthew W. Ruan (*pro hac vice*)

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EXHIBIT 1

Monday, June 1, 2026 at 8:33:25 PM Mountain Daylight Time

Subject: Estuary, et al. v. HHC, et al. / Document Production
Date: Monday, June 1, 2026 at 2:47:19 PM Mountain Daylight Time
From: Jason Hoggan
To: Matthew Ruan, Jonathan M. Shapiro, Douglas Millen, Michael Eisenkraft, Christopher Bateman, Silvie Saltzman, Brent W. Johnson, Nathaniel Regenold, Eric L. Cramer, Frank Schirripa, Scott Jacobsen, Robert Wozniak, Michael Moskovitz, Alex Thompson, Samantha Gupta, Gwendolyn Nelson, Caitlin Coslett, Laurel Boman
CC: Leo Caseria, Thomas Dillickrath, Joy Siu, Weissman, Stephen, Stock, Eric J., France, Jamie E., Obear, Josh, Joseph Antel
Attachments: image001.png, 20260601 Caseria Letter re Estuary Downgrades.pdf

Counsel,

Please see the attached correspondence. You should have received or will soon receive an FTP link containing a document production by Hartford HealthCare.

The password for the production is: **dceqx3uaHa4jj5rE**

Let us know if you have any issues accessing the documents.

Thanks,
Jason

Jason C. Hoggan
Special Counsel



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Attention: This message is sent by a law firm and may contain information that is privileged or confidential. If you received this transmission in error, please notify the sender by reply e-mail and delete the message and any attachments.

EXHIBIT 2



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June 1, 2026

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Re: *Estuary Transit District, et al. v. Hartford Healthcare Corporation, D. Conn.,
Case No. 3:24-cv-01051-SFR*

Dear Counsel:

Please find the attached documents in volumes **HHC-BROWN-VOL-059** and **HHC-BROWN-REPROD-27**, which are being produced by Defendants in response to Plaintiffs' Requests for the Production of Documents in the above-entitled action, subject to and without waiving Defendants' objections and responses to these requests. These documents were previously withheld as privileged. The Bates range and privilege log IDs for these documents are provided in **Attachment A**.

These documents are designated "CONFIDENTIAL – ATTORNEYS' EYES ONLY" pursuant to the protective order in this case. For the avoidance of doubt and per agreement of the Parties, HHC's production of these documents does not constitute subject matter waiver.



June 1, 2026
Page 2

Sincerely,

A handwritten signature in black ink, appearing to read "Leo Caseria".

Leo D. Caseria
for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

Encl.

cc: Counsel of Record



June 1, 2026
Page 3

Attachment A

Prod Bates Begin	Prod Bates End	Privilege Log ID
HHC-BROWN-VOL-59		
HHC-BROWN-06665507	HHC-BROWN-06665508	PLHHC-BROWN-0001791
HHC-BROWN-06665511	HHC-BROWN-06665517	PLHHC-BROWN-0002223
HHC-BROWN-06665456	HHC-BROWN-06665505	PLHHC-BROWN-0009818
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June 1, 2026
Page 4

Prod Bates Begin	Prod Bates End	Privilege Log ID
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HHC-BROWN-REPROD-027		
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HHC-BROWN-06622003	HHC-BROWN-06622003_0001	PLHHC-BROWN-0016499
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HHC-BROWN-06056891	HHC-BROWN-06056891_0003	PLHHC-BROWN-0022658
HHC-BROWN-06660308	HHC-BROWN-06660308_0002	PLHHC-BROWN-0022660

CERTIFICATE OF SERVICE

I hereby certify that on this day, a copy of the foregoing was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by email to all parties by operation of the Court's electronic filing system or by mail on anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

Dated this 1st day of June 2026.

/s/ Matthew W. Ruan

Matthew W. Ruan