

**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)

**PLAINTIFFS' MOTION FOR EMERGENCY MISCELLANEOUS RELIEF DUE TO
DEFENDANTS' FAILURE TO PRODUCE EXPERT WITNESS DR. CELESTE
SARAVIA FOR A TIMELY DEPOSITION**

Pursuant to Federal Rules of Civil Procedure 16(b)(4), 26(b)(4), and 37(c), Local Civil Rules 7, 16(b), and 37, and Section 3 of the Court's Standing Order on Scheduling in Civil Cases, Plaintiffs Estuary Transit District and Teamsters 671 Health Service & Insurance Plan (collectively, "Plaintiffs") respectfully move for emergency miscellaneous relief due to the refusal of Defendants Hartford HealthCare Corporation, Hartford Hospital, Hartford Healthcare Medical Group, Inc., and Integrated Care Partners, LLC (collectively, "Defendants") to produce their Rule 26(a)(2)(B) expert witness, Dr. Celeste Saravia, for a deposition before Plaintiffs' reply class expert reports are due. Specifically, Plaintiffs request an order either (1) requiring Defendants to produce Dr. Saravia for a deposition by September 10, 2026, at least five days before the due date for Plaintiffs' reply expert reports; (2) prohibiting Defendants from relying on Dr. Saravia's expert report to oppose Plaintiffs' forthcoming class certification motion or to support or oppose any forthcoming *Daubert* motions related to class certification; or (3) modifying the operative

Scheduling Order, Dkt. 145, to extend the deadline to file Plaintiffs' reply expert reports until (a) October 28, 2026, five days after the only date Defendants have offered for Dr. Saravia's deposition, or (b) five days after the earliest date she can otherwise make herself available, whichever is soonest (with minimal other adjustments to the Scheduling Order).

As set forth in Plaintiffs' accompanying memorandum of law and supporting declaration, Plaintiffs have diligently attempted to schedule a deposition of Dr. Saravia with sufficient time to incorporate her testimony into Plaintiffs' forthcoming reply expert reports. Defendants refused without just cause to do so, offering only October 23, 2026, for Dr. Saravia's deposition, more than five weeks after Plaintiffs' reply reports are due. Plaintiffs bring this motion to vindicate their rights to timely depose Defendants' expert witness.

Dated: September 4, 2026

Respectfully Submitted,

/s/ Jonathan M. Shapiro

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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 4th day of September 2026.

/s/ Jonathan M. Shapiro
Jonathan M. Shapiro (ct24075)

**UNITED STATES DISTRICT COURT
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ESTUARY TRANSIT DISTRICT AND
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**PLAINTIFFS' MEMORANDUM OF LAW IN SUPPORT OF PLAINTIFFS' MOTION
FOR EMERGENCY MISCELLANEOUS RELIEF DUE TO DEFENDANTS' FAILURE
TO PRODUCE EXPERT WITNESS DR. CELESTE SARAVIA FOR A TIMELY
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I. PRELIMINARY STATEMENT

Pursuant to Federal Rules of Civil Procedure 16(b)(4), 26(b)(4), and 37(c), Local Civil Rules 7, 16(b), and 37, and Section 3 of the Court’s Standing Order on Scheduling in Civil Cases, Plaintiffs Estuary Transit District and Teamsters 671 Health Service & Insurance Plan (collectively, “Plaintiffs”) respectfully move for emergency miscellaneous relief due to the refusal of Defendants Hartford HealthCare Corporation, Hartford Hospital, Hartford Healthcare Medical Group, Inc., and Integrated Care Partners, LLC (collectively, “Defendants”) to produce their Rule 26(a)(2)(B) expert witness, Dr. Celeste Saravia, for a deposition before Plaintiffs’ reply class expert reports are due. Specifically, Plaintiffs request an order either (1) requiring Defendants to produce Dr. Saravia for a deposition by September 10, 2026, at least five days before the due date for Plaintiffs’ reply expert reports; (2) prohibiting Defendants from relying on Dr. Saravia’s expert report to oppose Plaintiffs’ forthcoming class certification motion or to support or oppose any forthcoming *Daubert* motions related to class certification; or (3) modifying the operative Scheduling Order, Dkt. 145, to extend the deadline to file Plaintiffs’ reply expert reports until (a) October 28, 2026, five days after the only date Defendants have offered for Dr. Saravia’s deposition, or (b) five days after the earliest date she can otherwise make herself available, whichever is soonest (with minimal other adjustments to the Scheduling Order, as set forth below).

II. BACKGROUND

Plaintiffs and Defendants are nearing the close of expert discovery in this complex antitrust class action. Until now, the parties have worked collaboratively to resolve their scheduling and other logistical issues without the Court’s intervention. However, Defendants have unilaterally refused to permit Plaintiffs to depose their class certification expert, Dr. Saravia, until *after* Plaintiffs submit their reply expert reports.

Plaintiffs timely disclosed their opening class expert reports on May 20, 2026. *See* Declaration of Nathaniel D. Regenold in Support of Plaintiffs’ Motion for Emergency Miscellaneous Relief Due to Defendants’ Failure to Produce Expert Witness Dr. Celeste Saravia for a Timely Deposition (“Regenold Decl.”) ¶ 3. HHC likewise timely disclosed their rebuttal class expert reports, including Dr. Saravia’s report, on August 4, 2026. *See id.* ¶ 4. Defendants did not seek to depose any of Plaintiffs’ experts before submitting their rebuttal reports. *Id.* Per the Scheduling Order, Plaintiffs’ reply class expert reports are currently due on September 15, 2026, with the completion of expert depositions scheduled for October 23, 2026. *See* Dkt. 145.

On August 18, 2026, nearly a month before Plaintiffs’ reply reports were due, Plaintiffs requested a deposition date for Dr. Saravia during the weeks of August 31 or September 7, 2026. *See* Regenold Decl., Ex. A at 3. After HHC failed to respond for *nine days*, Plaintiffs followed up on August 27, 2026, expressly noting that Plaintiffs “intend[ed] to take Dr. Saravia’s deposition before [their] rebuttal class expert reports go in.” *Id.* Defendants again failed to respond to Plaintiffs’ request for dates. Regenold Decl. ¶ 6. During a meet and confer regarding deposition scheduling on August 28, 2026, Defendants’ counsel responded for the first time, stating that it was unlikely that Dr. Saravia would be available for deposition before September 15, 2026. *Id.* ¶ 7. During the meet and confer, Plaintiffs’ counsel stated their position that Defendants’ refusal to produce Dr. Saravia for a deposition before September 10, 2026, was improper but offered as a compromise pushing back the deadline for Plaintiffs’ reply class expert reports until shortly after Dr. Saravia’s deposition to accommodate Defendants’ availability while still allowing Plaintiffs’ experts the chance to incorporate Dr. Saravia’s testimony into their reply reports. *Id.* Plaintiffs’ counsel also relayed to Defendants that Plaintiffs’ expert, Dr. Leitzinger, is available for deposition on October 22 or 23, 2026. *Id.* ¶ 8. Not receiving a response to their proposal, Plaintiffs followed

up on September 1, 2026, renewing their request for dates, reiterating their compromise proposal, and reaffirming the impropriety of HHC unilaterally preventing its expert from being deposed before Plaintiffs submit their reply reports. *See* Regenold Decl., Ex. A at 2.

Later that day, Defendants responded that they “[we]re simply unable to identify a date before Sept 15 when [they] can make Dr. Saravia available for deposition” and that “[d]ue to a mix of scheduling conflicts, Jewish holidays, and family commitments,” Defendants could offer *only* October 23, 2026, for Dr. Saravia’s deposition. *Id.* at 1. Defendants did not explain which of these conflicts were Dr. Saravia’s or counsel’s and also flatly rejected Plaintiffs’ proposed compromise, writing that “a change [to the operative schedule] is not justified based on Plaintiffs’ counsel’s scheduling preferences for a single deposition.” *Id.* Thus, despite Plaintiffs’ efforts to compromise and avoid burdening the Court, Defendants’ refusal to timely produce their expert for deposition necessitated this motion.

III. ARGUMENT

“Under Rule 26(b)(4)(A), the discovering party is afforded the opportunity, as a matter of right, to depose the other side’s expert” after the report is provided. *Lava Trading, Inc. v. Hartford Fire Ins. Co.*, 2005 WL 4684238, at *7 (S.D.N.Y. Apr. 11, 2005); *see* Fed. R. Civ. P. 26(b)(4)(A). Furthermore, as is common in complex antitrust actions, the discovering party may depose the producing party’s experts *before or after*—subject to its strategic preferences—submitting its own rebuttal reports. Indeed, courts regularly recognize the importance of conducting expert depositions with sufficient time to include any testimony in rebuttal reports, should a party so desire. *See, e.g., Fields v. Wise Media LLC*, 2013 WL 12174296, at *5 (N.D. Cal. Jan. 25, 2013) (“In aid of preparing an opposition or reply report, a responding party may depose the adverse expert sufficiently before the deadline for the opposition or reply report so as to use the testimony in preparing the response. Experts must make themselves readily available for such depositions.”);

Klorczyk v. Sears, Roebuck & Co., 2015 WL 1600299, at *6 (D. Conn. Apr. 9, 2015) (sequencing expert depositions to occur before rebuttal expert reports); *Greene v. City of Norwalk*, 2017 WL 600077, at *6-7 (D. Conn. Feb. 14, 2017) (same).

A. COMPELLING DR. SARAVIA TO TESTIFY IN A TIMELY MANNER

Plaintiffs request that Dr. Saravia be compelled to testify at a date and time that would not disrupt the operative Scheduling Order (*e.g.*, on or prior to September 10, 2026). Plaintiffs' request falls well within the Court's "'broad discretion' to manage the discovery process." *Metcalf v. Transperfect Translations Int'l Inc.*, 2026 WL 1706934, at *1 (S.D.N.Y. June 12, 2026). Courts use their discretion over pre-trial management to ensure that parties can depose experts with sufficient time to use their testimony in preparing responsive expert reports. *See, e.g., IMRA Am., Inc. v. IPG Photonics Corp.*, 2010 WL 931885, at *2 (E.D. Mich. Mar. 11, 2010) (extending rebuttal expert report deadline where defendant had moved, in the alternative, to compel plaintiff expert's deposition before the then-scheduled rebuttal report deadline); *Allen v. Dairy Farmers of Am., Inc.*, 2013 WL 211303, at *2, *5 (D. Vt. Jan. 18, 2013) (denying motion to strike plaintiffs' rebuttal expert report that was withheld until after plaintiffs deposed defendants' expert); *see also* Fed. R. Civ. P. 26(b)(4) advisory committee's note to the 1970 amendment ("[E]ffective rebuttal requires advance knowledge of the line of testimony of the other side. If th[is] is foreclosed . . . , then the narrowing of issues and elimination of surprise which discovery normally produces are frustrated.").

Tellingly, throughout the parties' correspondence and meet and confer process on this issue, Defendants failed to identify any legitimate prejudice associated with Plaintiffs' request or

proposed compromise.¹ Simply put, Dr. Saravia should be ordered to sit for deposition before Plaintiffs' reply expert reports are due to allow Plaintiffs' experts to adequately understand and respond to her analyses.

B. STRIKING DR. SARAVIA'S WRITTEN OPINIONS

In the alternative, should Defendants continue refusing to make Dr. Saravia available for deposition, Plaintiffs request that the Court prohibit Defendants from relying on Dr. Saravia's written opinions for any forthcoming class certification or *Daubert* briefing. The Federal Rules of Civil Procedure require a testifying expert to provide a written report disclosing, among other things, "a complete statement of all opinions the witness will express and the basis and reasons for them" and "the facts or data considered by the witness in forming them." *See* Fed. R. Civ. P. 26(a)(2)(B); *see* Dkt. 116-1 ¶ 7 (modifying for this case the requirements of Rule 26(a)(2)(B)(ii)). Furthermore, as discussed above, "[a] party may depose any person who has been identified as an expert whose opinions may be presented at trial." Fed. R. Civ. P. 26(b)(4)(A); *see* Fed. R. Civ. P. 26(b)(4)(A) advisory committee's note to the 1970 amendment (noting that expert depositions assist a lawyer to understand "the particular approach his adversary's expert will take or the data on which [s]he will base h[er] judgment on the stand"). If a party fails to do so, "the party is not allowed to use that information or witness to supply evidence on a motion, at a hearing, or at a trial, unless the failure was substantially justified or is harmless." Fed. R. Civ. P. 37(c)(1); *see also* Fed. R. Civ. P. 37(b)(2)(A)(ii) (prohibiting a party "from supporting or opposing designated claims or defenses, or from introducing designated matters in evidence").

¹ In one email, counsel for Defendants wrote that "attempting to change the schedule now would also be highly disruptive to the coordinated schedule with *Brown*," the indirect purchaser action proceeding in state court. Regenold Decl., Ex. A at 1. To be sure, although the parties have coordinated expert discovery between the two cases to date, the parties never formally agreed to jointly coordinate all expert discovery, *see* Dkt. 71 at 9 (jointly proposing coordination of only fact discovery with the *Brown* case), and neither Plaintiffs nor this Court are bound to the pre-trial management of expert discovery in the *Brown* case.

Defendants’ refusal to timely produce Dr. Saravia for a deposition is tantamount to a failure to fully disclose her opinions, preventing Plaintiffs and their experts from understanding her work as required by Rule 26. That failure is certainly not “substantially justified.” Indeed, Defendants offered nothing but an unspecified “mix of scheduling conflicts” to excuse their inability to secure a deposition date for Dr. Saravia before the end of October. Nor is Defendants’ failure harmless. As described above, by failing to make Dr. Saravia available for a deposition with sufficient time to incorporate her testimony into Plaintiffs’ reply expert reports, Defendants are effectively forcing Plaintiffs to prepare their reports with an incomplete record of Dr. Saravia’s opinions being offered in this case and giving themselves the strategic advantage of preparing Dr. Saravia for her deposition having reviewed Plaintiffs’ reply expert reports. *See Am. Stock Exch., LLC v. Mopex, Inc.*, 215 F.R.D. 87, 93 (S.D.N.Y. 2002) (noting Rule 26 is intended to prevent “surprise” or “trial by ambush”). Defendants should not be permitted to unilaterally usurp Plaintiffs’ right to depose an expert before submitting a reply report. *Cf. Suprock v. Quantum Energy, Inc.*, 676 F. Supp. 3d 891, 893-94 (D. Nev. 2023) (striking expert report where plaintiff’s counsel was deprived the opportunity to depose defendant’s expert about their written opinions).

C. EXTENDING THE SCHEDULING ORDER FOR GOOD CAUSE

Finally, in the alternative, Plaintiffs respectfully request a modification of the Scheduling Order to allow Plaintiffs to disclose their reply expert reports five days after the only date Defendants have proffered for Dr. Saravia’s deposition, October 23, 2026, or the soonest possible date she can otherwise testify. Under the Federal Rules, “deadlines in a scheduling order ‘may be modified only for good cause and with the judge’s consent.’” *Dugan v. Soleil Toujours LLC*, 2025 WL 3723304, at *1 (S.D.N.Y. Nov. 13, 2025) (quoting Fed. R. Civ. P. 16(b)(4)); *see also* Civil Standing Order on Scheduling in Civil Cases § 3. “Generally, ‘a finding of good cause depends on

the diligence of the moving party.’” *Id.* (quoting *Parker v. Columbia Pictures Indus.*, 204 F.3d 326, 340 (2d Cir. 2000)).

As reflected above, Plaintiffs have exercised diligence in complying with the operative Scheduling Order while pursuing their right to depose Dr. Saravia before their reply expert reports are due. Within two weeks of receiving Defendants’ expert reports (and 28 days before their reply expert reports were due), Plaintiffs requested the deposition of Dr. Saravia two-to-three weeks thereafter, providing sufficient lead time for all parties to prepare without disrupting the expert discovery schedule. Yet despite Plaintiffs’ efforts and attempts at compromise, Defendants have flatly refused to cooperate, leaving Plaintiffs with only two options: seek the Court’s intervention or roll over. Plaintiffs propose the following changes to the Scheduling Order if the earliest Dr. Saravia is available to testify is truly October 23, 2026:

Event	Operative Deadline (see Dkt. 145)	Proposed Deadline
Plaintiffs’ Rebuttal Class Expert Reports	9/15/2026	10/28/2026
Completion of Expert Depositions	10/23/2026	11/11/2026
Deadline to File <i>Daubert</i> Motions Related to Class Certification	11/18/2026	11/25/2026
Deadline to File Motion to Certify Class	11/25/2026	12/2/2026
Deadline to File Opposition to <i>Daubert</i> Motions Related to Class Certification	1/29/2027	1/29/2027
Deadline to File Opposition to Motion to Certify Class	2/5/2027	2/5/2027
Deadline to File Reply in Support of <i>Daubert</i> Motions Related to Class Certification	3/17/2027	3/17/2027
Deadline to File Reply in Support of Motion to Certify Class	3/24/2027	3/24/2027

Event	Operative Deadline (<i>see</i> Dkt. 145)	Proposed Deadline
Parties to Inform the Court of Whether a Settlement Conference is Requested	4/7/2027	4/7/2027
Hearing on Motion for Class Certification	To be determined by the Court	To be determined by the Court
Exchange of Proposed Schedules for Merits Expert Reports, Summary Judgment, and Trial	One week after the Court's decisions on Motion to Certify Class and related <i>Daubert</i> Motions	One week after the Court's decisions on Motion to Certify Class and related <i>Daubert</i> Motions
Status Conference to Determine Remainder of Schedule	Two weeks after the Court's decisions on Motion to Certify Class and related <i>Daubert</i> Motions	Two weeks after the Court's decisions on Motion to Certify Class and related <i>Daubert</i> Motions

Plaintiffs note that some of the proposed intervals between events have been shortened so that the deadlines starting in January 2027 remain unchanged compared to the current deadlines set forth in the operative Scheduling Order. Dkt. 145. That way, Defendants' failure to timely produce Dr. Saravia will not cause unnecessary delay to this case.

Finally, Plaintiffs note that they are available to take Dr. Saravia's deposition on October 23, 2026, but, as Plaintiffs advised Defendants on the August 28, 2026 meet and confer, Plaintiffs' expert, Dr. Leitzinger, is available for deposition on October 22 or 23, 2026. *See* Regenold Decl. ¶ 8; Regenold Decl., Ex. A at 2. Defendants have not responded to confirm which date they prefer, nor have they acknowledged that the only date they say Dr. Saravia is available is among the two dates that Plaintiffs offered for Dr. Leitzinger's deposition. Regenold Decl. ¶ 8. Thus, if the Court adjusts the schedule, the Leitzinger and Saravia depositions would likely occur back-to-back, with Dr. Leitzinger's deposition on October 22 and Dr. Saravia's deposition on October 23. Given the number of capable law firms representing the parties, this should not present any issues (furthermore, Plaintiffs would be happy to arrange for both depositions to occur in the

same vicinity to facilitate attorneys attending both, if that were desired, and of course, if Defendants wished to avoid this, they could produce Dr. Saravia for deposition earlier).

IV. CONCLUSION

For the foregoing reasons, Plaintiffs respectfully request that the Court enter an order either (1) requiring Defendants to produce their Rule 26(a)(2)(B) expert witness, Dr. Celeste Saravia, for a deposition by September 10, 2026, at least five days before the current due date for Plaintiffs' reply expert reports; (2) prohibiting Defendants from relying on Dr. Saravia's expert report to oppose Plaintiffs' forthcoming class certification motion or to support or oppose any forthcoming *Daubert* motions related to class certification; or (3) modifying the operative Scheduling Order to extend the deadline to file Plaintiffs' reply expert reports until (a) October 28, 2026, five days after the only date Defendants have offered for Dr. Saravia's deposition, or (b) five days after the earliest date she can otherwise make herself available, whichever is soonest (with minimal other adjustments to the Scheduling Order).

Dated: September 4, 2026

Respectfully Submitted,

/s/ Jonathan M. Shapiro

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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 4th day of September 2026.

/s/ Jonathan M. Shapiro
Jonathan M. Shapiro (ct24075)

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Defendants.

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**DECLARATION OF NATHANIEL D. REGENOLD IN SUPPORT OF PLAINTIFFS'
MOTION FOR EMERGENCY MISCELLANEOUS RELIEF DUE TO DEFENDANTS'
FAILURE TO PRODUCE EXPERT WITNESS DR. CELESTE SARAVIA FOR A
TIMELY DEPOSITION**

I, Nathaniel D. Regenold, declare as follows:

1. I am an associate at Cohen Milstein Sellers & Toll LLP, interim co-lead class counsel and 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 declaration in accordance with Local Civil Rule 37(a) in support of Plaintiffs' Motion for Emergency Miscellaneous Relief Due to Defendants' Failure to Produce Expert Witness Dr. Celeste Saravia for a Timely Deposition. 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. In accordance with Local Civil Rule 37(a), Plaintiffs' counsel and counsel for Defendants Hartford HealthCare Corporation, Hartford Hospital, Hartford HealthCare Medical Group, Inc., and Integrated Care Partners, LLC (collectively, "Defendants") conferred by videoconference on August 28, 2026, and by email correspondence on September 1, 2026, in a good faith effort to eliminate or reduce the area of controversy and to arrive at a mutually satisfactory resolution but were unable to resolve by agreement the issues raised by the motion without the Court's intervention.

3. Plaintiffs timely disclosed their opening class expert reports from Dr. David Weiskopf, Dr. Jeffrey Leitzinger, and Dr. Patrick Romano on May 20, 2026.

4. Defendants timely disclosed their rebuttal class expert reports, including Dr. Saravia's report, on August 4, 2026. HHC did not seek the deposition of any of Plaintiffs' experts before filing their rebuttal class expert reports.

5. On August 18, 2026, I emailed Defendants' counsel to request a deposition date for Dr. Saravia during the weeks of August 31 or September 7, 2026.

6. After receiving no response from Defendants, I followed up via email on August 27, 2026, expressly noting that Plaintiffs "intend[ed] to take Dr. Saravia's deposition before [their] rebuttal class expert reports go in." Defendants again failed to respond to my request for dates.

7. The parties met and conferred on August 28, 2026. During that meet and confer, counsel for Defendants stated for the first time that it was unlikely that they would be able to produce Dr. Saravia for a deposition before September 15, 2026. Plaintiffs' counsel stated their position that Defendants' refusal to produce Dr. Saravia before the reply report deadline was improper, but as a compromise, Plaintiffs' counsel offered to push back the deadline for Plaintiffs'

reply class expert reports until shortly after Dr. Saravia's deposition to accommodate Defendants' availability while allowing Plaintiffs to incorporate her testimony into their reply reports. Defendants' counsel expressed some resistance to the proposal during the meet and confer but represented they would consider it further.

8. During that same meet and confer, Plaintiffs' counsel relayed to Defendants that Plaintiffs' expert Dr. Leitzinger is available for deposition on October 22 or 23, 2026. Defendants have not responded to confirm which date they prefer, nor have they acknowledged that the only date they say Dr. Saravia is available is among the two dates that Plaintiffs offered for Dr. Leitzinger's deposition.

9. I followed up with Defendants via email on September 1, 2026, reiterating the same compromise proposal on the case schedule and reaffirming Plaintiffs' commitment to taking Dr. Saravia's deposition before Plaintiffs submit their reply class expert reports, noting that we would seek this Court's intervention if necessary.

10. Later that day, Defendants' counsel responded that they "[we]re simply unable to identify a date before Sept 15 when [they] can make Dr. Saravia available for deposition" and that "[d]ue to a mix of scheduling conflicts, Jewish holidays, and family commitments," Defendants could offer only October 23, 2026, for Dr. Saravia's deposition. Defendants also flatly rejected Plaintiffs' proposed compromise, writing that "a change [to the operative schedule] is not justified based on Plaintiffs' counsel's scheduling preferences for a single deposition."

11. Attached hereto as Exhibit A is a true and correct copy of my email correspondence with Defendants' counsel regarding the attempted scheduling of Dr. Saravia's deposition.

Dated: September 4, 2026

/s/ Nathaniel D. Regenold

Nathaniel D. Regenold (*pro hac vice*)

**COHEN MILSTEIN SELLERS & TOLL
LLP**

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EXHIBIT A

Nathaniel Regenold

From: Stock, Eric J. <EStock@gibsondunn.com>
Sent: Tuesday, September 1, 2026 3:19 PM
To: Nathaniel Regenold; Obear, Josh; Caitlin Coslett; Silvie Saltzman; Michael Eisenkraft; Matthew Ruan; Samantha Gupta; sjacobsen@hrsrlaw.com; GNelson@hrsrlaw.com; fschirripa@hrsrlaw.com; Annalyn St Ledger; Laurel Boman; Jonathan M. Shapiro; Alex Thompson; Mario Cerame
Cc: SWeissman; France, Jamie E.; tdillickrath@sheppard.com; lcaseria@sheppard.com; jsiu@sheppard.com; jhoggan@sheppard.com; MKing@goodwin.com; KStaib@goodwin.com
Subject: RE: Estuary Transit v. Hartford Healthcare Corporation (D. Conn.)
Follow Up Flag: Follow up
Flag Status: Flagged

Nate,

We have done the best that we could, and have been working on it very intensely, but we are simply unable to identify a date before Sept 15 when we can make Dr. Saravia available for deposition. Due to a mix of scheduling conflicts, Jewish holidays, and family commitments, the date that we are able to provide Dr. Saravia for deposition is October 23, which – although not the date you requested – is consistent with the expert discovery schedule in this case.

We understand that Plaintiffs would prefer to take Dr. Saravia's deposition before their Reply reports are served, but there is nothing in the scheduling order that requires that any particular expert witnesses make themselves available before the date that Plaintiffs' Reply expert reports are served, and I note that the *Estuary* Plaintiffs have acknowledged that every single other expert deposition in this case will be proceeding **after** Reply expert reports are served on September 15. I also note that all of the expert depositions in the *Brown* case are also proceeding **after** Reply reports are served in that case. There is nothing inherently unfair about Plaintiffs deposing Dr. Saravia after Reply reports are served. You mention a potential motion to delay the *Estuary* schedule – such a change is not justified based on Plaintiffs' counsel's scheduling preferences for a single deposition. Moreover, attempting to change the schedule now would also be highly disruptive to the coordinated schedule with *Brown*. However, if you would like to further discuss this issue, we are available.

-Eric

Eric J. Stock
 Partner

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 EStock@gibsondunn.com

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 Gibson, Dunn & Crutcher LLP
 200 Park Avenue, New York, NY 10166-0193

From: Nathaniel Regenold <nregenold@cohenmilstein.com>
Sent: Tuesday, September 1, 2026 2:08 PM
To: Obear, Josh <JObear@gibsondunn.com>; Caitlin Coslett <ccoslett@bergermontague.com>; Silvie Saltzman

<ssaltzman@cohenmilstein.com>; Michael Eisenkraft <meisenkraft@cohenmilstein.com>; Matthew Ruan <mruan@fklmlaw.com>; Samantha Gupta <sgupta@fklmlaw.com>; sjacobsen@hrsrlaw.com; GNelson@hrsrlaw.com; fschirripa@hrsrlaw.com; Annalyn St Ledger <astledger@bergermontague.com>; Laurel Boman <lboman@bergermontague.com>; Jonathan M. Shapiro <jms@aetonlaw.com>; Alex Thompson <Alex@aetonlaw.com>; Mario Cerame <mario@aetonlaw.com>

Cc: Weissman, Stephen <SWeissman@gibsondunn.com>; Stock, Eric J. <EStock@gibsondunn.com>; France, Jamie E. <JFrance@gibsondunn.com>; tdillickrath@sheppard.com; lcaseria@sheppard.com; jsiu@sheppard.com; jhoggan@sheppard.com; MKing@goodwin.com; KStaib@goodwin.com

Subject: RE: Estuary Transit v. Hartford Healthcare Corporation (D. Conn.)

Eric,

Kindly following up on the below. As reflected in the email correspondence, the *Estuary* Plaintiffs first requested deposition dates for Dr. Saravia on August 18, noting that we need to depose her before our rebuttal class expert reports are due on September 15. On the meet and confer last Friday, August 28, we again requested deposition dates for Dr. Saravia, explained that we are entitled to depose her before our rebuttal class experts reports are due, and proposed—as a compromise—that if her deposition cannot occur before September 15, then the rebuttal class expert report deadline should be pushed accordingly. In the two weeks since we requested deposition dates, you have not provided any availability for Dr. Saravia.

HHC has not provided any justification—nor is there any—for unilaterally preventing its expert from being deposed before the *Estuary* Plaintiffs’ rebuttal class expert reports are due. *See, e.g., Fields v. Wise Media LLC*, 2013 WL 12174296, at *5 (N.D. Cal. Jan. 25, 2013) (“In aid of preparing an opposition or reply report, a responding party may depose the adverse expert sufficiently before the deadline for the opposition or reply report so as to use the testimony in preparing the response. Experts must make themselves readily available for such depositions.”).

The *Estuary* Plaintiffs are prepared to seek the Court’s intervention should HHC continue to insist that Dr. Saravia’s deposition occur after the *Estuary* Plaintiffs’ rebuttal class expert reports are due. Alternately, we propose that Dr. Saravia’s deposition occur in the latter half of the week of September 14 (or any other time after that date when Dr. Saravia is available) and that the *Estuary* Plaintiffs’ rebuttal class expert reports shall be due one week after Dr. Saravia’s deposition, whenever scheduled. **Please let us know HHC’s position by no later than tomorrow, September 2, at 12 pm**, otherwise we will be forced to file our motion with the Court.

Finally, as we mentioned during the August 28 meet and confer, Dr. Leitzinger is available to be deposed on October 22 and 23 in Los Angeles or Philadelphia. If HHC agrees to the extension of the expert discovery deadlines proposed above, we can look for dates in the last week of October that would also work for Dr. Leitzinger.

We are happy to discuss further if it would be helpful.

Best regards,

Nate

From: Nathaniel Regenold

Sent: Thursday, August 27, 2026 8:52 AM

To: Obear, Josh <JObear@gibsondunn.com>; Caitlin Coslett <ccoslett@bergermontague.com>; Silvie Saltzman <ssaltzman@cohenmilstein.com>; Michael Eisenkraft <meisenkraft@cohenmilstein.com>; Matthew Ruan <mruan@fkmlaw.com>; sgupta@jilmlaw.com; sjacobsen@hrsrlaw.com; GNelson@hrsrlaw.com; fschirripa@hrsrlaw.com; Annalyn St Ledger <astledger@bergermontague.com>; Laurel Boman <lboman@bergermontague.com>; Jonathan M. Shapiro <jms@aetonlaw.com>; Alex Thompson <Alex@aetonlaw.com>; Mario Cerame <mario@aetonlaw.com>

Cc: SWeissman <SWeissman@gibsondunn.com>; Stock, Eric J. <EStock@gibsondunn.com>; France, Jamie E. <JFrance@gibsondunn.com>; tdillickrath@sheppard.com; lcaseria@sheppard.com; jsiu@sheppard.com; jhoggan@sheppard.com; MKing@goodwin.com; KStaib@goodwin.com

Subject: RE: Estuary Transit v. Hartford Healthcare Corporation (D. Conn.)

Counsel,

Following up on the below. We intend to take Dr. Saravia's deposition before our rebuttal class expert reports go in, so please let us know by tomorrow morning during the scheduled 10:30 am meet and confer when she will be available.

Best regards,

Nate

From: Nathaniel Regenold

Sent: Tuesday, August 18, 2026 11:56 AM

To: 'Obear, Josh' <JObear@gibsondunn.com>; Caitlin Coslett <ccoslett@bergermontague.com>; Silvie Saltzman <ssaltzman@cohenmilstein.com>; Michael Eisenkraft <meisenkraft@cohenmilstein.com>; Matthew Ruan <mruan@fkmlaw.com>; sgupta@jilmlaw.com; sjacobsen@hrsrlaw.com; GNelson@hrsrlaw.com; fschirripa@hrsrlaw.com; Annalyn St Ledger <astledger@bergermontague.com>; Laurel Boman <lboman@bergermontague.com>; Jonathan M. Shapiro <jms@aetonlaw.com>; Alex Thompson <Alex@aetonlaw.com>; Mario Cerame <mario@aetonlaw.com>

Cc: SWeissman <SWeissman@gibsondunn.com>; Stock, Eric J. <EStock@gibsondunn.com>; France, Jamie E. <JFrance@gibsondunn.com>; tdillickrath@sheppard.com; lcaseria@sheppard.com; jsiu@sheppard.com; jhoggan@sheppard.com; MKing@goodwin.com; KStaib@goodwin.com

Subject: RE: Estuary Transit v. Hartford Healthcare Corporation (D. Conn.)

Counsel,

Please let us know the availability of Dr. Saravia to sit for a deposition the week of August 31 or September 7.

Best regards,

Nate

From: Obear, Josh <JObear@gibsondunn.com>

Sent: Tuesday, August 4, 2026 9:38 PM

To: Caitlin Coslett <ccoslett@bergermontague.com>; Silvie Saltzman <ssaltzman@cohenmilstein.com>; Nathaniel Regenold <nregenold@cohenmilstein.com>; Michael Eisenkraft <meisenkraft@cohenmilstein.com>; Matthew Ruan <mruan@fklmlaw.com>; sgupta@jilmlaw.com; sjacobsen@hrsrlaw.com; GNelson@hrsrlaw.com; fschirripa@hrsrlaw.com; Annalyn St Ledger <astledger@bergermontague.com>; Anna Guzman <aguzman@cohenmilstein.com>; Laurel Boman <lboman@bergermontague.com>; Jonathan M. Shapiro <jms@aetonlaw.com>; Alex Thompson <Alex@aetonlaw.com>; Mario Cerame <mario@aetonlaw.com>
Cc: SWeissman <SWeissman@gibsondunn.com>; Stock, Eric J. <EStock@gibsondunn.com>; France, Jamie E. <JFrance@gibsondunn.com>; tdillickrath@sheppard.com; lcaseria@sheppard.com; jsiu@sheppard.com; jhoggan@sheppard.com; MKing@goodwin.com; KStaib@goodwin.com
Subject: Estuary Transit v. Hartford Healthcare Corporation (D. Conn.)

Counsel,

Please see attached the expert report of Celeste Saravia, served on behalf of Defendants in the above-captioned matter. The report is designated as Highly Confidential under the Protective Order.

Thank you,
Josh

Josh Obear
Associate Attorney

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