

# **EXHIBIT B**

LOEVY + LOEVY

Josh Tepfer &lt;josh@loevy.com&gt;

**Watts - Clarissa Glenn Continuation****Scott Rauscher** <scott@loevy.com>

Wed, May 1, 2024 at 7:22 PM

To: Kelly Olivier &lt;kolivier@halemonico.com&gt;

Cc: Gianna Gizzi &lt;gizzi@loevy.com&gt;, Josh Tepfer &lt;josh@loevy.com&gt;, Lilia Martinez &lt;martinez@loevy.com&gt;, Mirzeta Causevic &lt;mcausevic@halemonico.com&gt;, "Terrence M. Burns" &lt;tburns@reiterburns.com&gt;, web@halemonico.com

Thanks for reaching out about this. It's hard to give an exact answer without seeing the motion, so I'd just ask that you take a conservative view, and if it seems like something might be confidential you file that part under seal. I'd also be willing to review the proposed redactions in your final draft if you want to do it that way.

I will also reiterate our previous offer to withdraw Ms. Lackey as a witness if you agree not to move for the Rule 35 exam.

Feel free to give me a call tomorrow if you want to discuss any of this.

Scott

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**Scott Rauscher** (He/Him)

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On Wed, May 1, 2024 at 2:03 PM Kelly Olivier <kolivier@halemonico.com> wrote:

Josh and Scott,

As I'm sure you have probably deduced, we may be filing a Motion for a Rule 35 examination, and there are portions of Ms. Glenn's testimony from Volume III of her deposition that I would like to include; however, that portion of the deposition was marked confidential. In terms of how I can proceed, I was thinking that to the extent she describes her plans to seek further treatment and the symptoms she is experiencing, I can include those in the motion and cite the transcript - but I would file the transcript as an exhibit "under seal." Josh, you can correct me if I am mistaken, but I believe our thought process for marking the deposition confidential was because we were discussing the substance of her mental health records. The portions of the deposition I am considering citing would not be direct quotes from nor in response to questions specifically referencing those records.

Please let me know if this would be acceptable. If you would like to discuss further, please feel free to give me a call on my cell (805-794-9594) either this afternoon or tomorrow.

Thank you,  
Kelly

On Thu, Apr 11, 2024 at 5:04 PM Scott Rauscher <scott@loevy.com> wrote:

Bill,

I spoke with Clarissa and have confirmed that there was no additional treatment. I'm happy to discuss further if you have any questions.

Scott

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**Scott Rauscher** (He/Him)

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On Wed, Apr 10, 2024 at 1:10 PM <[web@halemonico.com](mailto:web@halemonico.com)> wrote:

Thanks Scott

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**From:** Scott Rauscher <[scott@loevy.com](mailto:scott@loevy.com)>  
**Sent:** Wednesday, April 10, 2024 12:48 PM  
**To:** [web@halemonico.com](mailto:web@halemonico.com)  
**Cc:** Josh Tepfer <[josh@loevy.com](mailto:josh@loevy.com)>; Terrence M. Burns <[tburns@reiterburns.com](mailto:tburns@reiterburns.com)>; Kelly Olivier <[kolivier@halemonico.com](mailto:kolivier@halemonico.com)>; Gianna Gizzi <[gizzi@loevy.com](mailto:gizzi@loevy.com)>; Lilia Martinez <[martinez@loevy.com](mailto:martinez@loevy.com)>; Mirzeta Causevic <[mcausevic@halemonico.com](mailto:mcausevic@halemonico.com)>  
**Subject:** Re: Watts - Clarissa Glenn Continuation

Hi Bill,

Josh is out right now, but we will circle back on this.

Scott

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**Scott Rauscher** (He/Him)

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On Wed, Apr 10, 2024 at 12:47 PM <[web@halemonico.com](mailto:web@halemonico.com)> wrote:

Hi Josh – I am following up on Kelly's correspondence. Please identify and supplement discovery for any additional treatment Ms. Glenn received.

Thanks

**William E. Bazarek**

Partner

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----- Forwarded message -----

From: Kelly Olivier <[kolivier@halemonico.com](mailto:kolivier@halemonico.com)>

Date: Wed, Feb 28, 2024 at 4:48 PM

Subject: Re: Watts - Clarissa Glenn Continuation

To: Josh Tepfer <[josh@loevy.com](mailto:josh@loevy.com)>

Cc: Lilia Martinez <[martinez@loevy.com](mailto:martinez@loevy.com)>, Terrence M. Burns <[tburns@reiterburns.com](mailto:tburns@reiterburns.com)>, Scott Rauscher <[scott@loevy.com](mailto:scott@loevy.com)>

Hi Josh,

Thank you for speaking with me - please let me know if this correctly memorializes our present agreement: you will be looking into Ms. Glenn's attendance at additional therapy sessions beyond the (1) record for June 6, 2022, and we will be in touch regarding potential next steps (namely, my office issuing a subpoena), and your position on it/them.

On Wed, Feb 28, 2024 at 4:26 PM Josh Tepfer <[josh@loevy.com](mailto:josh@loevy.com)> wrote:

I'd like to consult on this. I can talk now if you'd like -- 773.575.4424.

On Wed, Feb 28, 2024 at 4:25 PM Kelly Olivier <[kolivier@halemonico.com](mailto:kolivier@halemonico.com)> wrote:

Josh,

I will note that even the answer to interrogatory notes 2 visits in 2022, but does not account for her visit this year, 2024. Because of this, and the fact that she was unsure of when and how many times she attended/received therapy at this provider, I would like to issue a subpoena for their records relating to Ms. Glenn. Please advise if you have an objection.

Thank you,

Kelly

On Wed, Feb 28, 2024 at 4:23 PM Kelly Olivier <[kolivier@halemonico.com](mailto:kolivier@halemonico.com)> wrote:

Thank you Lilia - and Josh. I was wondering if you were referencing responses that pre-dated the January disclosure, but I also did miss this portion of the email. Duly noted.

Thank you again,

Kelly

On Wed, Feb 28, 2024 at 3:01 PM Lilia Martinez <[martinez@loevy.com](mailto:martinez@loevy.com)> wrote:

Counsel,

Attached you may find the email where they were served. They were served along with the production labelled PL JOINT 087349-PL JOINT 087354 on January 31, 2024.

Best regards,

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**Lilia Martinez** (she/her/ella)

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On Wed, Feb 28, 2024 at 2:45 PM Josh Tepfer <[josh@loevy.com](mailto:josh@loevy.com)> wrote:

It is attached. I believe it was served when we tendered the documents. That was at least the intent and if that mistakenly did not happen, I apologize.

Lilia -- do you have a record of serving it?

On Wed, Feb 28, 2024 at 1:57 PM Kelly Olivier <[kolivier@halemonico.com](mailto:kolivier@halemonico.com)> wrote:

Hi Josh,

Could you please direct me to the discovery response that you referenced during today's deposition, wherein Ms. Glenn's mental health treatment was disclosed?

Thank you,

Kelly

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**Kelly Olivier**

Attorney

(312) 500-2951 | [kolivier@HaleMonico.com](mailto:kolivier@HaleMonico.com)

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**Joshua Tepfer** (He/Him)

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