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5 Attorneys for Plaintiff, CILKER  
APARTMENTS, LLC  
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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 COUNTY OF SANTA CLARA  
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11 CILKER APARTMENTS, LLC,  
12 Plaintiff,

13 vs.

14 WESTERN NATIONAL CONSTRUCTION,  
MCLARLAND, VARQUEZ & PARTNERS,  
15 GROUP M ENGINEERS, GENTRY  
ASSOCIATES CONSTRUCTION  
16 CONSULTANTS, LARCO INDUSTRIES,  
FITCH PLASTERING, COURTNEY  
17 WATERPROOFING, CELL CRETE, LOS  
NIETOS CONSTRUCTION, MADERA  
18 FRAMING, KELLY DOOR, TARA  
COATINGS, LDI, and DOES 1-100,  
19 inclusive,

20 Defendant.

Case No. 113CV258281

**PLAINTIFF CILKER APARTMENTS,  
LLC'S OBJECTION TO DEFENDANT  
AND CROSS-DEFENDANT PYRAMID  
BUILDERS, INC.'S SUPPLEMENTAL  
DESIGNATION OF EXPERTS**

21 AND RELATED CROSS-ACTIONS  
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23  
24 Plaintiff CILKER APARTMENTS, LLC hereby presents its objection to Defendant and  
25 Cross-Defendant PYRAMID BUILDERS, INC.'s (hereinafter "Pyramid") Supplemental  
26 Designation of Experts.


27 Pyramid's Supplemental Designation of Experts must be withdrawn as it has been untimely  
28 served. Pursuant to the order of the Special Master, each party was to serve their initial Expert

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Disclosures by August 3, 2015, and their Supplemental Expert Disclosures by December 4, 2015.  
Pyramid did not serve its Supplemental Designation of Experts until January 25, 2016.  
Accordingly, Pyramid's Supplemental Designation of Experts is untimely, and must be withdrawn.

Dated: February 8, 2016

ROBINSON & WOOD, INC.

By:   
\_\_\_\_\_  
JON B. ZIMMERMAN  
GREGORY B. COHEN  
Attorneys for Plaintiff, CILKER  
APARTMENTS, LLC

1 **PROOF OF SERVICE**  
2 *Cilker Apartments v. Western National Construction, et al*  
3 **Case No.: 113CV258281**

4 I, Jennifer K. Timbol, declare:

5 I am over the age of eighteen (18) years and not a party to the within entitled action. I am  
6 employed by Robinson & Wood, Inc., 227 N 1st Street, San Jose, California 95113. I am readily  
7 familiar with Robinson & Wood, Inc.'s practice for collection and processing of documents for  
8 delivery by way of the service indicated below.

9 On February 10, 2016, I served the following document(s):

10 **PLAINTIFF CILKER APARTMENTS, LLC'S OBJECTION TO DEFENDANT**  
11 **AND CROSS-DEFENDANT PYRAMID BUILDERS, INC.'S SUPPLEMENTAL**  
12 **DESIGNATION OF EXPERTS**

13 on the interested party(ies) in this action as follows:

14 **By Electronic Service.** By causing said document(s) to be served on the interested parties  
15 via electronic service utilizing the Electronic Filing Service Provider as ordered by this Court. A  
16 copy of the filing receipt page will be maintained with the original document(s) in this office.

17 I declare under penalty of perjury under the laws of the State of California that the  
18 foregoing is true and correct.

19 Executed on February 10, 2016, at San Jose, California.

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Jennifer K. Timbol