

DISTRICT COURT, SUMMIT COUNTY, STATE OF COLORADO 501 North Park Avenue Breckenridge, CO 80424 Phone: (970) 453-224	
<b>Plaintiff:</b> DILLON BAY IN CORINTHIAN HILL CONDOMINIUM OWNERS ASSOCIATION, INC., a Colorado nonprofit corporation,  v.  <b>Defendants:</b> BLACK DIAMOND CONSTRUCTION, a Colorado corporation; and PATRICK T. EAGAN, an individual.	▲COURT USE ONLY▲
<b>Attorneys for Defendant Black Diamond Construction:</b> Todd H. Fleckenstein, #35129 Hall & Evans, L.L.C. 1001 Seventeenth Street, Suite 300 Denver, CO 80202 Phone Number: (303) 628-3300 E-mail: <a href="mailto:fleckensteint@hallevans.com">fleckensteint@hallevans.com</a>	Case No.: 2021CV30036  Division: K
<b>DEFENDANT BLACK DIAMOND CONSTRUCTION, INC.'S FIRST SUPPLEMENTAL C.R.C.P. 26(a)(1) DISCLOSURES</b>	

Defendant Black Diamond Construction, Inc. ("Defendant"), by and through its attorneys, Hall & Evans, L.L.C., for its Supplemental Disclosures pursuant to C.R.C.P. 26(a)(1) states:

**A. INDIVIDUALS LIKELY TO HAVE DISCOVERABLE INFORMATION RELEVANT TO CLAIMS AND DEFENSES AT ISSUE**

5. Current and/or former employees and representatives of Maldonado Services, LLC, Post Office Box 3015, Dillon, Colorado 80435, (970) 333-8381, including but not limited to Isaac Maldonado, has knowledge regarding its bid for the project to Black Diamond Construction, Inc., and work/services and communications regarding the project relevant to the claims and defenses asserted in the lawsuit.

6. Current and/or former employees and representatives of Peak Paint, including but not limited to Sam Amini, current address unknown, (970) 389-2757. Mr. Amini has knowledge regarding its bid for the project to Black Diamond Construction, Inc., and work/services and communications regarding the project relevant to the claims and defenses asserted in the lawsuit.

7. All other persons with knowledge identified in disclosures served by Plaintiff and any other parties joined in this matter.

8. Any witness necessary for impeachment or rebuttal.

9. Any witness necessary for laying foundation.

10. Any witness identified during discovery in this case that may possess discoverable information, including those identified in documents produced or disclosed by any party.

**B. LISTING, DESCRIPTION, LOCATION OF DOCUMENTS, DATA COMPILATION AND TANGIBLE THINGS**

Copies of all documents, data compilations, and tangible things in Defendant's possession or control that may be relevant to disputed facts alleged with particularity in the pleadings are:

Photographs of the project – Black Diamond 000042-000441 included in:

Start-Up	06-21	07-12	07-19
08-02	08-16	08-23	09-13
09-30	10-04	11-08	11-15
12-06	01-08		

These photographs are provided to counsel in the following link:

<https://hallandevans.sharefile.com/d-s3012c0b171354530820c3ad97a8dc4d0>

Defendant will supplement this disclosure as required pursuant to C.R.C.P. 26(e) as additional or corrective information becomes known during discovery.

DATED this 13<sup>th</sup> day of July, 2021.

HALL & EVANS, L.L.C.

*s/ Todd H. Fleckenstein*

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Todd H. Fleckenstein #35129

**Attorneys for Defendant Black Diamond  
Construction**

*In accordance with C.R.C.P. 121 § 1-26(9), a printed copy of this document with original signatures is maintained by Hall & Evans, L.L.C., and will be made available for inspection by other parties or the Court upon request.*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 13<sup>th</sup> day of July, 2021, I served a copy of the foregoing **DEFENDANT BLACK DIAMOND CONSTRUCTION, INC.'S FIRST SUPPLEMENTAL C.R.C.P. 26(a)(1) DISCLOSURES** with on all counsel of record via the Colorado Courts E-Filing System including the following:

***Attorneys for Plaintiff:***

Jonah G. Hunt, Esq.

Eric R. McLeenan, Esq.

Joseph A. Bucceri, Esq.

Orten Cavanaugh Holmes

& Hunt, LLC

[jhunt@ochhoalaw.com](mailto:jhunt@ochhoalaw.com)

[emclennan@ochhoalaw.com](mailto:emclennan@ochhoalaw.com)

[jbucceri@ochhoalaw.com](mailto:jbucceri@ochhoalaw.com)

*s/ Connie McConnell*

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Legal Assistant, Hall & Evans, L.L.C.