

From: [Mohammad O. Jazil](#)
To: [Omar Gonzalez-Pagan](#)
Subject: RE: Florida Medicaid Litigation / Andrew Sheeran Deposition
Date: Sunday, February 26, 2023 12:35:24 PM

Omar, the modified agreement works for us. Hope all is well, Mo.

From: Omar Gonzalez-Pagan <ogonzalez-pagan@lambdalegal.org>
Sent: Wednesday, February 22, 2023 11:24 PM
To: Mohammad O. Jazil <mjazil@holtzmanvogel.com>
Subject: RE: Florida Medicaid Litigation / Andrew Sheeran Deposition

Mo,

Please find below the agreement as modified:

The parties agree that AHCA's General Counsel, Andrew Sheeran, will not sit for a deposition on February 27, 2023. To avoid litigation concerning the appropriateness of deposing an agency's general counsel, the Plaintiffs will submit written questions to Mr. Sheeran consistent with the process outlined in Federal Rule of Civil Procedure 31; however, in a deviation from Rule 31, (1) the Plaintiffs will propose a truncated timeframe to allow for the process to proceed consistent with the scheduling order in this case, (2) there will be no oral questioning of Mr. Sheeran in a deposition, and (3) the Plaintiffs will be free to use Mr. Sheeran's written responses as they see fit at the summary judgment and trial stage.

This agreement does not waive Plaintiffs' ability to call Mr. Sheeran at trial and/or to orally question him at trial, nor does it waive Defendants' ability to move to quash any subpoena seeking to have Mr. Sheeran to testify at trial.

Please confirm this is amenable.

Thanks,

Omar

Omar Gonzalez-Pagan

Pronouns: He/Him/His

Lambda Legal

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Lambda Legal: Making the case for equality

From: Mohammad O. Jazil <mjazil@holtzmanvogel.com>
Sent: Wednesday, February 22, 2023 9:49 AM
To: Omar Gonzalez-Pagan <ogonzalez-pagan@lambdalegal.org>

Subject: Florida Medicaid Litigation / Andrew Sheeran Deposition

Omar—

It was good talking to you Friday and yesterday evening. My understanding of our conversation is that AHCA's General Counsel, Andrew Sheeran, will not sit for a deposition on February 27, 2023. To avoid litigation concerning the appropriateness of deposing an agency's general counsel, the Plaintiffs will submit written questions to Mr. Sheeran consistent with the process outlined in Federal Rule of Civil Procedure 31; however, in a deviation from Rule 31, (1) the Plaintiffs will propose a truncated timeframe to allow for the process to proceed consistent with the scheduling order in this case, (2) there will be no oral questioning of Mr. Sheeran in a deposition (or at trial), and (3) the Plaintiffs will be free to use Mr. Sheeran's written responses as they see fit at the summary judgment and trial stage.

Thanks as always,
Mo

Mohammad O. Jazil

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