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BY: JOSHUA MANDAPAT
Deputy Clerk

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1 **PLEASE TAKE NOTICE** that pursuant to California Code of Civil Procedure Section 2034.260, the
2 undersigned hereby designates the following expert witness whose opinion testimony is
3 expected to be offered in evidence at trial in the above-entitled action Cal Code Civ Proc §
4 2034.260.

5
6 **EXPERT WITNESS DESIGNATION**

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8 Name: John Berryhill

9 Address: P.O. Box 1674, Benicia, CA 94510

10 Field of Expertise: Forensic Analysis
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12 **EXPERT WITNESS DECLARATION**

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14 Pursuant to California Code of Civil Procedure Section 2034.260(c), the undersigned attorney
15 provides the following expert witness declaration under penalty of perjury Cal Code Civ Proc §
16 2034.260:
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- 18 1. **QUALIFICATIONS:** John Berryhill possesses specialized knowledge, skill, experience,
19 training, and education sufficient to qualify as an expert in forensic analysis. Mr.
20 Berryhill has extensive experience in forensic examination and analysis, with particular
21 expertise in the methodologies and procedures relevant to this case. His qualifications
22 include [specific qualifications to be detailed based on expert's credentials].
23
- 24 2. **GENERAL SUBSTANCE OF TESTIMONY:** Mr. Berryhill is expected to testify regarding his
25 forensic analysis and findings as documented in his expert report completed in 2024 Cal
26 Code Civ Proc § 2034.260. His testimony will include the introduction and authentication
27 of his forensic report and the presentation of his professional opinions based on his
28 examination and analysis of the evidence in this matter. Mr. Berryhill will testify

1 regarding the methodologies employed, the reliability of the forensic techniques
2 utilized, and his conclusions based on the evidence examined.

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4 3. **AGREEMENT TO TESTIFY:** Mr. Berryhill has agreed to testify at trial in this matter Cal
5 Code Civ Proc § 2034.260.

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7 4. **FAMILIARITY WITH CASE:** Mr. Berryhill will be sufficiently familiar with the pending
8 action to submit to a meaningful oral deposition concerning the specific testimony,
9 including his opinions and their basis, that he is expected to give at trial Cal Code Civ
10 Proc § 2034.260.

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12 5. **EXPERT FEES:** Mr. Berryhill's hourly fee for providing deposition testimony, and for
13 consulting with the retaining attorney is \$500 per hour, and his daily fee for trial
14 testimony is \$2,500 per half day Cal Code Civ Proc § 2034.260.

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16 **Foundational Materials**

17 Mr. Berryhill's expert report completed in 2024 and all documents relied upon by him to reach
18 his conclusions will be made available as required. The report and supporting materials provide
19 the foundation for Mr. Berryhill's expected testimony and will be produced in accordance with
20 discovery obligations.

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22 **AUTHENTICATION OF EXPERT REPORT**

23 Mr. Berryhill will provide testimony necessary to authenticate his 2024 forensic report as a
24 business record or through his personal knowledge of its preparation and contents. The report
25 was prepared in the regular course of his professional forensic analysis practice and will be
26 properly authenticated for admission into evidence.

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1 **NOTICE REGARDING COMPLIANCE**

2 Please be advised that on objection of any party who has made a complete and timely
3 compliance with Section 2034.260, the trial court shall exclude from evidence the expert
4 opinion of any witness that is offered by any party who has unreasonably failed to list that
5 witness as an expert, submit an expert witness declaration, produce reports and writings of
6 expert witnesses, or make that expert available for deposition. Cal Code Civ Proc § 2034.300.
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8 This expert witness will be made available for deposition under Article 3 (commencing with
9 Section 2034.410) of the California Code of Civil Procedure. Cal Code Civ Proc § 2034.300.
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11 **CERTIFICATE OF SERVICE**

12 I hereby certify that a true and correct copy of the foregoing Notice of Expert Witness
13 Designation was served upon all parties in the above-entitled action by the method indicated
14 below and in accordance with California Code of Civil Procedure Section 1011 or 1013. Cal Code
15 Civ Proc § 2034.260.
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19 Dated: October 7, 2025

Respectfully Submitted,

21 *Omar R Serrato*

22 Omar Serrato
23 Counsel for Respondent, Michael Marraccini
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