

**Remote Deposition of: Steven D. Runyan, P.E.,  
PMK for Geotek, Inc.**

**Jill Mann vs. Las Brisas Pacificas, Inc.  
February 11, 2026**

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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF SAN DIEGO

JILL MANN, an individual, )  
 )  
 Plaintiff, )  
 )  
 vs. ) Case No.:  
 ) 24CU015304N  
 LAS BRISAS PACIFICAS, INC., )  
 a California mutual benefit )  
 common interest development )  
 corporation; and DOES 1 - )  
 20, inclusive, )  
 )  
 Defendants. )  
 \_\_\_\_\_ )

REMOTE DEPOSITION OF STEVEN D. RUNYAN, P.E.,  
PERSON MOST KNOWLEDGEABLE FOR GEOTEK, INC.

APPEARING REMOTELY FROM  
CORONA, CALIFORNIA

WEDNESDAY, FEBRUARY 11, 2026

REPORTED BY: AMBER DAWN CASTANEDA, RPR, CRR, CSR NO. 7640  
Job No. 128849

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
2 FOR THE COUNTY OF SAN DIEGO

3  
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5 Plaintiff, )  
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12 Defendants. )  
13 \_\_\_\_\_ )

14 Remote Deposition of STEVEN D. RUNYAN, P.E., PERSON  
15 MOST KNOWLEDGEABLE FOR GEOTEK, INC., taken on behalf of  
16 the Plaintiff, commencing at 9:33 a.m., on Wednesday,  
17 February 11, 2026, before Amber Dawn Castaneda, RPR,  
18 CRR, CSR No. 7640, appearing remotely from  
19 San Bernardino County, California.  
20  
21  
22  
23  
24  
25

1 REMOTE APPEARANCES:

2  
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ALSO PRESENT:

JILL MANN, PLAINTIFF

CHRISTOPHER AMEN, ESQ.  
GENERAL COUNSEL FOR GEOTEK, INC.

I N D E X

WITNESS: STEVEN D. RUNYAN, P.E.,  
PERSON MOST KNOWLEDGEABLE FOR  
GEOTEK, INC.

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1 PROCEEDINGS STENOGRAPHICALLY REPORTED REMOTELY

2 WEDNESDAY, FEBRUARY 11, 2026

3 9:33 A.M.

4  
5 THE REPORTER: My name is Amber Castaneda. I  
6 am a California Certified Shorthand Reporter, license  
7 number 7640.

8 Mr. Runyan, please raise your right hand.

9  
10 STEVEN D. RUNYAN, P.E.,  
11 PERSON MOST KNOWLEDGEABLE FOR GEOTEK, INC.,  
12 having been first duly sworn,  
13 was examined and testified as follows:

14  
15 EXAMINATION

16 BY MR. ALEXANDER:

17 Q. Good morning, Mr. Runyan.

18 I'm Vasko Alexander, plaintiff's attorney. We  
19 introduced ourselves off the record, but here we are.

20 I'm going to ask you whether or not you've been  
21 deposed before, because that might shortcut some of the  
22 admonitions that we have to give.

23 A. I have not.

24 Q. Okay. Have you ever offered trial testimony?

25 A. I have not.

1 Q. Okay. The deposition that we're sitting in  
2 today has the same weight and effect as if you are  
3 testifying in trial. Of course, it's a lot more  
4 informal in its setting, but the deposition testimony  
5 you're offering has the same weight and effect as if you  
6 were in trial.

7 I do not anticipate this deposition taking  
8 longer than 45 minutes to an hour. So, famous last  
9 words by attorneys.

10 But if you need a break at any one time, let me  
11 know. I just will ask you to finish answering my  
12 question, my pending question, and then we can take a  
13 break.

14 Does that sound fair?

15 A. Understood.

16 Q. And you understand the difference between a  
17 guess and an estimate.

18 Correct?

19 A. I do.

20 Q. And let's keep doing what we're doing right  
21 now, which is you wait for me to finish my question, and  
22 then you provide me with a verbal response. Our court  
23 reporter cannot take down body language or uh-huhs, and  
24 so forth.

25 Does that sound fair to you?

1 A. Understood.

2 Q. And are you under the influence of any  
3 substance that might prevent you from providing us your  
4 best testimony today?

5 A. Negative.

6 Q. Negative. Perfect.

7 Let me mark Exhibit 1.

8 And the way we're going to do this, I'm going  
9 to share my screen.

10 (Whereupon, the document referred to  
11 was marked as Exhibit 1 by the court  
12 reporter and is attached.)

13 BY MR. ALEXANDER:

14 Q. And this is a deposition subpoena in this  
15 matter, which was served on GeoTek.

16 You understand that you are here today based  
17 off of this or in response to this deposition subpoena.

18 Correct?

19 A. Correct.

20 Q. What is your position with GeoTek?

21 A. I hold multiple positions. I am the branch  
22 manager of the Corona branch for GeoTek, as well as  
23 currently the area manager of the Vista branch.

24 Q. And when you say you're the branch manager,  
25 what does that mean?

1           A. I manage the personnel that operate out of this  
2 branch.

3           Q. And the Corona branch, what is -- what is the  
4 physical boundary of the Corona branch?

5           A. The physical boundary of the Corona branch is  
6 the state of California.

7           Q. Oh, it's the entire state, it's not just  
8 Corona.

9                        Correct?

10          A. Correct.

11          Q. Okay. And what is the other position that you  
12 mentioned?

13          A. I am also listed as the area manager of the  
14 Vista branch.

15          Q. And what is the difference between the branch  
16 manager and area manager?

17          A. Area manager is more of an oversight position  
18 over the branch manager of that particular office.

19          Q. Okay. And the Vista branch, what is the  
20 geographic footprint of that branch?

21          A. Also within the state of California, primarily.

22          Q. So the two overlap?

23          A. The two do overlap. Yes.

24          Q. Okay. Okay. Great.

25                        You understand that you were designated today

1 as the person most knowledgeable regarding category two  
2 of the deposition subpoena, which is GeoTek's project  
3 number 3912-SD related to the retention, engagement, and  
4 scope of services for Las Brisas Pacifica, Inc., and/or  
5 the association relating to Lot/Unit 139 located at the  
6 subject slope, including who retained GeoTek, when, the  
7 purpose of the work, and the scope/deliverables.

8 In addition, the categories are GeoTek's  
9 observations, investigations, and conclusions related to  
10 GeoTek project number 3912-SD, including communications  
11 and recommendations related to GeoTek project number  
12 3912-SD.

13 A. I understand that is correct.

14 Q. Okay. Are there any categories here that you  
15 might not be the person most qualified to offer us  
16 testimony?

17 A. No.

18 Q. Are you -- well, strike that.

19 What is project 3912-SD, from GeoTek's  
20 perspective?

21 A. Project 3912 is a -- well, it's a numbering  
22 system in our internal system. 3912 is a -- is the  
23 number given to the work that was performed at the  
24 Las Brisas Pacifica project regarding the investigation,  
25 observation, and testing during the slope repair and the

1 final report.

2 Q. Did you do anything to prepare for your  
3 deposition today?

4 Did you review any documents? Have any  
5 internal discussions relating to any of these  
6 categories?

7 MR. COHEN: And I'll just object to the extent  
8 it calls for attorney-client privilege.

9 But go ahead, Steve.

10 MR. ALEXANDER: And let me put an asterisk on  
11 that question.

12 Q. Whatever question I ask you today, I'm never  
13 seeking any communications with any of GeoTek's lawyers,  
14 or your personal lawyers for that matter.

15 So other than communications with your  
16 attorneys, have you discussed this project with anybody  
17 else in preparation for this deposition?

18 A. No.

19 Q. Did you review any documents in preparation for  
20 this deposition?

21 A. Yes.

22 Q. And what documents did you review?

23 A. The documents provided in discovery.

24 Q. In response to deposition subpoenas.

25 Correct?

1 A. Correct.

2 Q. Would those documents include proposals by  
3 GeoTek to Las Brisas Pacificas?

4 A. Yes.

5 Q. And how about preliminary reports?

6 A. Correct.

7 Q. And same question with any final reports?

8 A. Also correct.

9 Q. Okay. Let's do this.

10 I'm going to mark next in order Exhibit 2.

11 And we have as Exhibit 2 a document dated  
12 May 1, 2023, titled Work Authorization and Agreement.

13 (Whereupon, the document referred to  
14 was marked as Exhibit 2 by the court  
15 reporter and is attached.)

16 BY MR. ALEXANDER:

17 Q. Do you see that document?

18 A. I do.

19 Q. Was this one of the documents that you reviewed  
20 in preparation for your deposition?

21 A. Yes.

22 Q. Who prepared this document on behalf of GeoTek?

23 A. Christopher Livesey.

24 Q. And who is Christopher Livesey?

25 A. A former employee.

1 Q. In the scope of your duties, do you normally  
2 prepare these kind of documents as well?

3 A. I'm sorry, repeat that.

4 Q. Do you --

5 Within the scope of your duties, do you prepare  
6 these kind of documents?

7 A. Regularly.

8 Q. Okay. Is this a document that was prepared by  
9 GeoTek?

10 A. Yes.

11 Q. Is there a reason for you to believe that it  
12 was not prepared by GeoTek?

13 A. No.

14 Q. Was this a document that was prepared in  
15 GeoTek's regular course of business?

16 A. Yes.

17 Q. And what was the purpose for this, for the  
18 preparation of this document?

19 A. To obtain work authorization and define --  
20 define payment scope or payment for scope of work.

21 Q. And what is the scope of services proposed  
22 here?

23 A. You would have to also view the proposal  
24 document that accompanied it.

25 Q. Okay. Do you have an understanding as to what

1 GeoTek's work was on this project?

2 A. Yes.

3 Q. And what is your general understanding as to  
4 that?

5 A. We provided a geotechnical consultancy for the  
6 client, and provided recommendations, observation, and  
7 testing during construction, followed by a summary  
8 report or a final report.

9 Q. Let's mark next in order -- and I appreciate  
10 that. Let's mark next in order Exhibit 3.

11 (Whereupon, the document referred to  
12 was marked as Exhibit 3 by the court  
13 reporter and is attached.)

14 BY MR. ALEXANDER:

15 Q. Are you familiar with this document that I have  
16 pulled up on my screen now?

17 A. I am.

18 Q. Did you review Exhibit 3 in preparation for  
19 your deposition today?

20 A. I did.

21 Q. Was Exhibit 3 prepared in the regular scope of  
22 GeoTek's work?

23 A. It was.

24 Q. And what is Exhibit 3?

25 A. A Preliminary Geotechnical Investigation.

1 Q. And the date of the report is July 7, 2023.

2 Correct?

3 A. Yes.

4 Q. What does it mean -- strike that.

5 What does GeoTek mean by a preliminary report?

6 A. Preliminary, more generally defined is before a  
7 construction, construction happening.

8 Q. It's an initial investigation.

9 Correct?

10 A. That is correct.

11 Q. When you reviewed this document in preparation  
12 for your deposition, were any of the contents of the  
13 document -- strike that.

14 When you reviewed this document in preparation  
15 for your deposition, did you question any of the  
16 contents of this document?

17 A. I did not.

18 Q. Do you agree with all of the contents in this  
19 document?

20 A. I do.

21 Q. Is it GeoTek's position that the document  
22 reflects GeoTek's observations as presented in Exhibit 3  
23 up to that date?

24 A. I don't believe observation is the correct  
25 term.

1 Q. Okay. How would that --

2 What is the correct term, in your mind?

3 A. I believe this report is a summary of our  
4 findings during the investigation with recommendations  
5 for repairs of the investigated slope.

6 Q. Okay. Thank you for that clarification.

7 Do you, as you sit here today, agree with the  
8 recommendations contained in this report?

9 A. I do.

10 Q. Let's turn to page four of Exhibit 3.

11 We are looking at section 4.3.1 Groundwater.  
12 And it states, perched groundwater was observed at the  
13 geologic contact of the engineered fill overlying the  
14 Santiago Formation in excavation TP-2.

15 Does that have any significance to you? What  
16 does that mean, essentially?

17 A. Are you asking for the definition of perched  
18 groundwater?

19 Q. Yeah. Yeah. Let's start there.

20 A. Perched groundwater is groundwater that travels  
21 upward through the soil or is suspended within the soil  
22 in a excavated hole.

23 Q. Okay. In this case, TP-2.

24 Correct?

25 A. Correct.

1 Q. And what is TP-2? What is that for?

2 A. TP stands for test pit. And that would be the  
3 second test pit that was performed during this  
4 investigation.

5 Q. Do you recall exactly where test pit two was  
6 located?

7 A. I don't recall, but there should be a figure  
8 attached to this report.

9 Q. If we turn to page -- it's 15 of 46 of the PDF  
10 itself. We're looking at one of the references.

11 Correct?

12 A. Correct.

13 Q. It's titled Geotechnical Map, July 2023.

14 Correct?

15 A. Correct.

16 Q. And it's Figure 2.

17 Correct?

18 A. Correct.

19 Q. Looking at this figure, can you identify where  
20 TP-2 is located?

21 A. TP-2 appears to be at the base or the lower  
22 part of the slope behind Lot 139 or within Lot 139.

23 Q. Let's turn to page five of Exhibit 3.

24 I'm looking at section 5.1.2, and it's the  
25 second full paragraph that reads, the mode of slope

1 failure appears to be a rotational slump, based on the  
2 eastern edge of the failure expressing movement, the  
3 bulged toe, and the lack of visible movement along the  
4 western portion of the failure.

5 Do you see that page?

6 A. Yes. I see that.

7 Q. Do you question the conclusion in this language  
8 or the observations?

9 A. No, I do not.

10 Q. The next statement reads, cause of failure  
11 appears to have been from saturation of the engineered  
12 fill in combination with the claystone geometry of the  
13 fill over cut slope condition.

14 Do you have reason to disagree with this  
15 conclusion?

16 A. I do not.

17 Q. The next sentence reads, increased moisture  
18 content adds weight to the fill and the claystone  
19 contact probably also contributed to the slope failure.

20 Do you have a reason to question the veracity  
21 of that language?

22 A. I do not.

23 Q. The next sentence reads, source of the water  
24 was not clearly evident during the investigation and is  
25 typically difficult to identify or locate.

1 Do you disagree with that language?

2 A. I do not.

3 Q. Generally, why would GeoTek reflect that the  
4 source of water was not clearly evident?

5 A. Because I am not a detective. We were  
6 investigating where the water came from.

7 Q. Is it fair to say that the scope of work that  
8 GeoTek was tasked for was with respect to -- well,  
9 strike that.

10 What was the scope of work that GeoTek was  
11 tasked to perform?

12 A. To assess the hillside slope failure and  
13 recommend repairs.

14 Q. Not where the source of water was from.

15 Correct?

16 A. I don't believe that was in the original scope  
17 of work or scope of work.

18 Q. And we have a note right after that reads, it  
19 should be noted that the rain season of 2022/2023 was,  
20 approximately, 170 to 180 percent of a normal season.

21 Do you know why GeoTek reflected this note in  
22 its report?

23 A. During that season, we did receive more  
24 rainfall than normal seasons.

25 Q. Does that language necessarily indicate,

1 however, that it was the rainfall that caused the slope  
2 failure?

3 A. It does not define what caused it.

4 Q. Let's turn to page six, which is the slope  
5 repair recommendation in this Exhibit 3, 5.2.3. And I'm  
6 looking again at the second full paragraph here.

7 Upon excavation of the fill key, a drainage  
8 system is recommended to be installed (heel drain) and  
9 another drain along the backcut of the excavation.

10 Do you see that language?

11 A. Yes.

12 Q. Does GeoTek stand by that slope repair  
13 recommendation?

14 A. It does.

15 Q. Okay. Let's turn next to page eight, section  
16 5.3, Post Construction Considerations.

17 And we have 5.3.1, saturated soils weaken the  
18 inherent strength of soil, and slope stability is  
19 significantly reduced by overly wet conditions.  
20 Positive surface drainage away from graded slopes should  
21 be maintained and only the amount of irrigation  
22 necessary to sustain plant life should be provided for  
23 planted slopes.

24 Does GeoTek stand by this statement?

25 A. Yes.

1 Q. And if we look at the second paragraph, the  
2 last sentence, an abatement program to control  
3 ground-burrowing rodents should be implemented and  
4 maintained. This is critical as burrowing rodents can  
5 decrease the long-term performance of slopes.

6 Does GeoTek stand by that recommendation?

7 A. Yes.

8 Q. To your knowledge, has the Las Brisas  
9 Homeowners Association implemented this abatement  
10 program that was recommended by GeoTek?

11 MR. COHEN: Calls for speculation.

12 If you know.

13 BY MR. ALEXANDER:

14 Q. And if you don't know, you could indicate.

15 A. I'm unaware of any program that they've  
16 provided.

17 Q. And let's go next to section 5.3.2, Drainage,  
18 page nine. It reads, the need to maintain proper  
19 surface drainage and subsurface systems cannot be overly  
20 emphasized. Positive site drainage should be maintained  
21 at all times.

22 What does GeoTek mean by positive site  
23 drainage?

24 A. The very next sentence, and so the rest of that  
25 paragraph, positive site drainage is referred to as

1 drainage away from critical elements, not flowing  
2 uncontrolled down the hillside, should be flowed away  
3 from foundations, should not pond or seep.

4 Q. And what is the danger of ponding or seeping of  
5 water, if positive site drainage is not maintained?

6 A. It would refer you back to your previous  
7 questioning of it drastically reduces the strength of  
8 soil.

9 Q. Could that be a contributing factor to slope  
10 failure?

11 A. It is a major contributing factor to slope  
12 failures.

13 Q. I'm going to mark next in order Exhibit 4.  
14 Exhibit 4 is titled As-Graded Report of Slope Repair,  
15 date May 23, 2024.

16 (Whereupon, the document referred to  
17 was marked as Exhibit 4 by the court  
18 reporter and is attached.)

19 BY MR. ALEXANDER:

20 Q. Correct?

21 A. Correct.

22 Q. Is this a document that you reviewed in  
23 preparation for your deposition today?

24 A. I did.

25 Q. Is this a document that is prepared as part of

1 GeoTek's regular course of business?

2 A. It is.

3 Q. Okay. Are there any -- strike that.

4 As you sit here today, do you disagree with any  
5 of the contents of Exhibit 4?

6 A. I do not.

7 Q. And let's do this. Let's turn to page three of  
8 Exhibit 4, subsection titled Conclusions and  
9 Recommendations.

10 And the language I would like to focus on is  
11 based on conversations with the Homeowners Association  
12 Board, the existing drainpipe was installed and directly  
13 connected to area drains along the top of the existing  
14 retaining wall. The intent of the drains was said to  
15 collect surface water shedding from the slope face and  
16 transporting it away to reduce the potential for the  
17 surface water to flow over the existing retaining wall.  
18 However, as the system is currently constructed with  
19 perforated drainpipe, surface water that is collected in  
20 the area drains is being introduced into the subsurface,  
21 directly behind the existing retaining wall.

22 Do you see that language?

23 A. I do.

24 Q. Does GeoTek stand by its observations with  
25 respect to how the current system was managing the

1 water?

2 That was a terrible question.

3 A. Yeah.

4 Q. Does -- strike it. Okay?

5 Does GeoTek --

6 As you sit here today, does GeoTek disagree  
7 with what was observed on the site with respect to this  
8 perforated drainpipe?

9 MR. COHEN: I'll just object. It's vague.

10 Calls for speculation.

11 BY MR. ALEXANDER:

12 Q. Let me ask it a different way.

13 Does GeoTek stand by its observations, as I  
14 just read them?

15 A. Yes.

16 Q. And is this the type of danger that we were  
17 just discussing with water being reintroduced back into  
18 the slope?

19 MR. COMBS: Objection. Mischaracterizes and  
20 misstates what the document says.

21 BY MR. ALEXANDER:

22 Q. And you could answer, if you could.

23 Well, let me ask it in a different way.

24 This last sentence that starts with however,  
25 what is the condition that it is describing?

1           A. It is describing the condition of the  
2 constructed system.

3           Q. Okay. Is it fair to say that it is describing  
4 a condition where water that is supposed to be drained  
5 away by this perforated drain is actually being  
6 reintroduced back into the slope?

7           A. Yes.

8           Q. And at page four, we have language that starts  
9 with GeoTek recommends the existing area drain system at  
10 the top of the retaining wall cease the transmission of  
11 surface water into the subsurface.

12           Do you have an understanding as to why GeoTek  
13 would make that recommendation?

14           A. Yes, I do.

15           Q. And why would GeoTek make that recommendation?

16           A. The surface drain system is collecting water  
17 from the surface and introducing it into the subsurface  
18 system, which is counterproductive to what the  
19 subsurface system is designed to do.

20           Q. Okay. And is it fair to say that the next two  
21 full paragraphs provide two alternate ways of making the  
22 slope repair, or at least disconnecting the surface area  
23 drains from the subsurface?

24           A. Yes.

25           Q. And take a couple of minutes to read those two

1 paragraphs, and tell me what the first method is and  
2 what the second method is.

3 A. The first method is to seal the area drains  
4 behind the retaining wall with a watertight cap, which  
5 would stop the introduction of surface water into the  
6 wall drainage system, which would allow the wall  
7 drainage system to work as intended.

8 Q. What is the second one?

9 A. The second paragraph is a second recommendation  
10 for addressing surface drainage with a swale or ditch  
11 commonly used on slopes for taking surface drainage  
12 laterally to a acceptable area to be discharged.

13 Q. Essentially, what it says, right?

14 A. Exactly what it says.

15 Q. I could have just read it. Okay.

16 Do you disagree with any of these  
17 recommendations?

18 A. No, I do not.

19 Q. Do you know if the HOA or anybody else for that  
20 matter has performed either one of those repairs?

21 MR. COMBS: Objection. Calls for speculation.

22 MR. COHEN: Joined.

23 If you know.

24 THE WITNESS: I'm unaware.

25 / / /

1 BY MR. ALEXANDER:

2 Q. This portion of a swale or v-ditch constructed  
3 behind the top of the wall, that's a recommendation for  
4 future work.

5 Correct?

6 A. It's a recommendation for possibilities to  
7 redirect surface drainage that has not taken -- yes,  
8 it's to redirect surface water that has not taken place  
9 yet.

10 Q. In other words, the swale or a v-ditch were not  
11 in place when GeoTek made its recommendations.

12 Correct?

13 A. Correct.

14 Q. And let's take a look at section 3.2 Drainage.

15 The need to maintain proper surface drainage  
16 and subsurface systems cannot be overly emphasized.  
17 Positive site drainage should be maintained at all  
18 times. Drainage should not flow uncontrolled down any  
19 descending slope. Water should be directed away from  
20 foundations and not allowed to pond or seep into the  
21 ground adjacent to the footings.

22 Do you see that language?

23 A. I do.

24 Q. Does GeoTek stand by this recommendation?

25 A. Yes.

1 Q. And again, is this -- what is the reason for  
2 emphasizing this kind of recommendation?

3 A. It's emphasized multiple times throughout this  
4 report to display its importance.

5 Q. And what is the importance of keeping this  
6 positive site drainage as described here?

7 A. To avoid future slope failures or other  
8 structural failures.

9 Q. Which are undesirable, of course.

10 Correct?

11 A. Correct.

12 Q. Okay. You know, at the top of the deposition,  
13 I did not ask you. What is the furthest formal  
14 education you've obtained?

15 A. I have a master's degree in geotechnical  
16 engineering.

17 Q. And do you have a current geotechnical engineer  
18 certification?

19 A. I'm a licensed P.E., professional engineer.

20 Q. And when did you obtain your license?

21 A. In May of 2015.

22 Q. Okay. Well, congratulations. Ten years of  
23 practice. There we go.

24 I appreciate your time. I have no further  
25 questions. Thank you so much.

1 MR. COMBS: I have some questions.

2 If we can go to I believe it was Exhibit 3,  
3 Vasko, correct me if I'm wrong, which was the July 7,  
4 2023, Limited Geotechnical Investigation.

5 Is that Exhibit 3?

6 MR. ALEXANDER: That is Exhibit 3.

7

8 EXAMINATION

9 BY MR. COMBS:

10 Q. Okay. And Steven, my name is Craig Combs. I  
11 represent Las Brisas Pacificas Homeowners Association in  
12 this matter.

13 Okay. Looking at page two of the -- of  
14 Exhibit 3, I see the signatures and stamps of  
15 Mr. Livesey and Mr. Cunningham.

16 Do you see that, sir?

17 A. It's not on this exhibit, but --

18 MR. ALEXANDER: Mr. Combs, I'm going to stop  
19 sharing my screen. If you would like to share yours,  
20 that will be more efficient.

21 MR. COMBS: Oh, sure.

22 Q. Okay. Can we see that now?

23 A. Yes.

24 Q. Okay. Let me try to move this over a little  
25 bit here.

1           Okay. You see the signatures of Mr. Livesey  
2 and Mr. Cunningham.

3           Correct?

4           A. I do.

5           Q. Does Mr. Cunningham still work for or with  
6 GeoTek?

7           A. He does.

8           Q. And Mr. Livesey, do you know where he is  
9 working now?

10          A. I do not.

11          Q. Why did he leave GeoTek? Do you know?

12                 MR. COHEN: I'll just object to the extent --  
13 and candidly, you know, I don't know if this invades  
14 into any protected areas, but I'll defer to the witness  
15 here.

16 BY MR. COMBS:

17          Q. If you know. And if --

18          A. I -- his management style was not suited to  
19 running a branch.

20          Q. Understood. Thank you.

21                 Now, both of them have signed and affixed their  
22 registered professional engineering stamps on this  
23 document.

24                 Correct?

25          A. Yes.

1 Q. What is the purpose of affixing a stamp on a  
2 document such as this?

3 A. They have both prepared and/or reviewed this  
4 report.

5 Q. So it has some weight to it that they've  
6 affixed their stamps to these reports?

7 A. Correct.

8 Q. But if they hadn't, if they hadn't affixed  
9 their stamps to the reports, would that mean anything  
10 different?

11 A. It would make the report invalid.

12 Q. Why would it make the report invalid?

13 A. Well, you're -- the report must have a licensed  
14 geologist and/or engineer to be an engineer's or  
15 geologist's opinion.

16 Q. Okay. Thank you.

17 Okay. Was the purpose of this report at all to  
18 make a determination as to the cause of the slope  
19 failure?

20 A. No.

21 Q. Okay. And looking at this page eight -- well,  
22 it's page five of the document, and you see where it  
23 says, it should be noted that the rain season was,  
24 approximately, 170 to 180 percent of a normal season?

25 Okay. Why would they mention that, if it was

1 not pertinent?

2 MR. ALEXANDER: Asked and answered. Vague.

3 BY MR. COMBS:

4 Q. Do you understand my question?

5 A. Not exactly. No.

6 Q. Why mention this excessive rain at all in this  
7 document?

8 A. Because water is a contributing factor to slope  
9 failures, and so all sources should be considered.

10 Q. Thank you.

11 And it says, in similar conditions, upon repair  
12 of a slope failure, perched groundwater is often  
13 observed in the backscarp of the failure.

14 Can you tell us what the backscarp is with  
15 respect to a slope failure?

16 A. The backscarp is -- it would be the -- to  
17 simplify it, it is the back side of the failure, the  
18 back underside of the failure.

19 Q. So would that be upslope or downslope from the  
20 failure?

21 A. Generally, on the lower side.

22 Q. So can you describe, if you can, what happens  
23 in similar conditions where there is excessive rain and  
24 then there is a failure, and how does the water end up  
25 in -- the perched groundwater, how does it end up in the

1 backscarp of the failure?

2 A. When soil is saturated, it travels through  
3 soil, generally vertically in a downward angle. Gravity  
4 does its work. That water will eventually hit a layer  
5 where it perches and it weakens that layer. With enough  
6 weakening, it lacks the cohesion and soil strength to  
7 withstand the weight where a wedge, wedge but it's  
8 generally a cupped wedge, failure occurs. That back end  
9 or inside layer is considered the backscarp. That's  
10 where the water will generally be noted or seen  
11 post-failure.

12 Q. Thank you. That was a great explanation, sir.  
13 Thank you. Just I appreciate you dumbing it down for us  
14 lawyers. At least for me.

15 Okay. So when -- I'm looking at 5.3 here.

16 Do you see that on your screen?

17 A. I do.

18 Q. Okay. So do any of these post-construction  
19 considerations pertain to the cause of the slope failure  
20 or are they just post-construction recommendations?

21 MR. ALEXANDER: Argumentative.

22 BY MR. COMBS:

23 Q. Do you understand my question?

24 A. No.

25 Q. Okay. For example, it says, positive surface

1 drainage away from graded slopes should be maintained  
2 and only the amount of irrigation necessary to sustain  
3 plant life should be provided for planted slopes.

4 Do you see that sentence?

5 A. I do.

6 Q. Does that in any way indicate the causation of  
7 the slope failure at issue?

8 A. No. That is a recommendation to maintain slope  
9 integrity.

10 Q. And the next -- so that's -- that's generally  
11 the gist of my questions here. I'm asking you, and I  
12 will be asking you whether these recommendations here  
13 are recommendations due to the cause of the failure.  
14 Okay?

15 So the next sentence says, controlling surface  
16 drainage runoff and maintaining a suitable vegetation  
17 cover can minimize erosion.

18 Does that in any way indicate what the cause of  
19 the slope failure was?

20 A. No. These are recommendations to maintain  
21 slope integrity.

22 Q. Next sentence, plants selected for landscaping  
23 should be lightweight, deep-rooted types that require  
24 little water and are capable of surviving the prevailing  
25 climate.

1 Does that in any way indicate that the plants  
2 which were on the slope at the time of the slope failure  
3 were inappropriate?

4 A. No. It's a recommendation to maintain slope  
5 integrity.

6 Q. And I'm not going to go through every single  
7 sentence, but this next one says, overwatering should be  
8 avoided.

9 Does that indicate that there was overwatering  
10 prior to the slope failure?

11 MR. COHEN: Calls for speculation. Lacks  
12 foundation.

13 THE WITNESS: No. It is a recommendation to  
14 avoid overwatering to maintain slope integration.

15 BY MR. COMBS:

16 Q. Okay. And lastly, it says, an abatement  
17 program to control ground-burrowing rodents should be  
18 implemented and maintained. This is critical, as  
19 burrowing rodents can decrease long-term performance of  
20 slopes.

21 Does that indicate that GeoTek found burrowing  
22 rodents on the slope?

23 A. It does not.

24 Q. Thank you.

25 And again with respect to drainage, if you can

1 read section 5.3.2, and I'll just ask you generally.

2 When you've had a moment to read that, let me know.

3 A. Go ahead.

4 Q. Okay. So does any of the recommendations here  
5 indicate the cause of the slope failure at issue?

6 A. No.

7 Q. And it says, it is the owner's responsibility  
8 to maintain and clean drainage devices on or contiguous  
9 to their lot.

10 Do you know who owns this lot, sir?

11 A. I do not.

12 Q. Okay. Thank you.

13 MR. COMBS: All right. Let's move on to the  
14 next document, which I believe, Vasko, you marked as  
15 Exhibit 4, which is the as-graded slope repair or report  
16 of slope repair? Is that Exhibit 4?

17 THE REPORTER: I can't hear you, Vasko.

18 MR. ALEXANDER: I'm agreeing with Counsel.  
19 Yes, it's May 23rd, 2024.

20 MR. COMBS: Okay. Thank you. Just wanted to  
21 confirm.

22 Q. Okay. Let's look at section three, Conclusions  
23 and Recommendations. And I would like to focus on  
24 plaintiff's counsel's very favorite sentence, which is  
25 the last sentence in the third paragraph there, which

1 is, however, as the system is currently constructed with  
2 perforated drainpipe, surface water that is collected in  
3 the area drains is being introduced into the subsurface,  
4 directly behind the existing retaining wall.

5 Now, plaintiff counsel often likes to say it's  
6 being reintroduced, but it just says it's being  
7 introduced.

8 In your mind, sir, would there be a difference  
9 between water being reintroduced and being introduced?

10 MR. COHEN: And I'll just -- hold on one  
11 second. It's -- objection to the extent it's vague and  
12 calls for speculation. It may call for an expert  
13 opinion and, potentially, an incomplete hypothetical as  
14 well.

15 Go ahead, Steve.

16 THE WITNESS: In my opinion, yes, there is a  
17 difference between introduced and reintroduced.

18 BY MR. COMBS:

19 Q. And what, in your opinion, would that  
20 difference be?

21 A. Reintroduced is water that's been collected and  
22 is reintroduced back into the subsurface.

23 Q. Very sensible.

24 Okay. And does this sentence in any way  
25 indicate the cause of the slope failure at issue in this

1 case?

2 MR. ALEXANDER: I'll object that it calls for  
3 an expert opinion.

4 THE REPORTER: Thank you.

5 THE WITNESS: Can you repeat that one more time  
6 for me, Craig?

7 BY MR. COMBS:

8 Q. Sure.

9 I'm looking at the last sentence of paragraph  
10 three which we just discussed. And I'm asking you --  
11 and let me rephrase it then.

12 Is this sentence intended to provide a reason  
13 as to why the slope failure occurred?

14 MR. ALEXANDER: Objection. Vague. Calls for  
15 an expert opinion.

16 MR. COHEN: And I'll just join also to the  
17 extent it may call for a legal conclusion.

18 Go ahead, Steve.

19 THE WITNESS: That is not the intent of the  
20 Conclusions and Recommendations. These are observations  
21 and recommendations, not -- we were not contracted to  
22 come up with a reason for the failure. We were  
23 contracted to come up with a repair for this failure.

24 BY MR. COMBS:

25 Q. Thank you.



1           And Counsel is right, this is my favorite  
2 sentence in all of these reports.

3           The condition that GeoTek observed with respect  
4 to the perforated drainpipes that were installed -- and  
5 they were not installed by GeoTek.

6           Correct?

7           A. GeoTek does not perform construction  
8 activities.

9           Q. Okay. The condition that is being described  
10 here is the collection of surface water by those  
11 perforated drainpipes.

12          Correct?

13          A. That is my understanding.

14          Q. And it is the introduction of that surface  
15 water into the subsurface.

16          Correct?

17          A. That is also my understanding.

18          Q. Okay. I have no further questions.

19          Thank you so much.

20          THE REPORTER: All right. Shall I get copy  
21 orders?

22          MR. ALEXANDER: Well, I would like a copy, yes.

23          MR. COMBS: I would like a copy too, please.

24          MR. ALEXANDER: And if I could get a rough,  
25 Amber, as well.

1 THE REPORTER: Sure.  
2 How about you, Craig? Do you want a rough?  
3 MR. COMBS: No, no need. Thank you.  
4 THE REPORTER: Am I expediting?  
5 MR. COMBS: I don't need it expedited.  
6 MR. ALEXANDER: No.  
7 How long do you expect it to take?  
8 THE REPORTER: Two to three weeks.  
9 MR. ALEXANDER: That should be okay.  
10 MR. COMBS: That's fine.  
11 THE REPORTER: Okay. Thank you.  
12 I'm going off the record.

13  
14 (Whereupon, the proceedings  
15 concluded at 10:26 a.m.)

16 ---oOo---

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DECLARATION UNDER PENALTY OF PERJURY

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 2026,  
at \_\_\_\_\_, \_\_\_\_\_.  
(City) (State)

\_\_\_\_\_  
STEVEN D. RUNYAN, P.E.,  
PERSON MOST KNOWLEDGEABLE FOR  
GEOTEK, INC.

DEPOSITION ERRATA SHEET

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REPORTER'S CERTIFICATE

1  
2  
3 STATE OF CALIFORNIA )  
4 ) ss.  
5 COUNTY OF SAN BERNARDINO )  
6

7 I, AMBER DAWN CASTANEDA, RPR, CRR, a Certified  
8 Shorthand Reporter within and for the County of  
9 San Bernardino, State of California, do hereby certify:

10 That prior to being examined, the witness named  
11 in the foregoing deposition was sworn by me to testify  
12 to the truth, the whole truth, and nothing but the  
13 truth;

14 That the said deposition was taken down by me  
15 in shorthand at the time and place therein stated and  
16 was thereafter reduced to print by Computer-Aided  
17 Transcription under my direction;

18 I further certify that I am not of counsel or  
19 attorney for any of the parties hereto or in any way  
20 interested in the event of this cause, and that I am not  
21 related to any of the parties thereto.

22 Dated this 25th day of February, 2026.

23   
24 \_\_\_\_\_  
25 AMBER DAWN CASTANEDA, RPR, CRR,  
CSR No. 7640