

19TH JUDICIAL DISTRICT COURT
PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA

No. 499,737

J. Robert Wooley, Commissioner of Insurance for the State of Louisiana

vs.

Thomas S. Lucksinger, et al

consolidated with

No. 509,297

J. Robert Wooley

vs.

Foundation Health Corp., Foundation Health Systems, Inc., and Health Net, Inc.

consolidated with

No. 512,366

J. Robert Wooley

vs.

PricewaterhouseCoopers, LLP

FILED

NOV 03 2005

E. Kerth
BY CLERK OF COURT

JUDGMENT

THIS CAUSE came on to be heard, pursuant to ordinary assignment by the Court on the Motion for Judgment Notwithstanding the Verdict, and Alternatively, for New Trial, and Alternatively, for a Remittitur filed by Health Net, Inc., Defendant, regarding the Judgment on the jury verdict in the action by Jean Johnson, Texas Special Deputy Receiver, against Health Net, Inc.

Present were:

James C. Percy and David M. Kerth for Health Net, Inc.; and

Joseph J. McKernan and R. James George, Jr. for Jean Johnson,

Texas Special Deputy Receiver.

When, after hearing the argument of counsel, considering the memoranda and exhibits submitted by the parties, and reviewing the testimony presented to the jury that sophisticated businessmen, accountants, lawyers, liquidators, receivers, and people well positioned, educated and focused, the Court finding that the law and evidence is overwhelmingly in favor of movant, as to fault allocation, to the extent that a reasonable trier of fact could not conclude otherwise, hereby finds that defendant is entitled to relief, for reasons orally assigned and enumerated hereinabove.

I hereby certify that on this day a notice of the above judgment was mailed by me, with sufficient postage affixed, to: *all parties*

Done and signed on 11-4-05

E. Kerth
Deputy Clerk of Court

CERTIFIED
TRUE COPY

NOV 03 2005

BY *E. Kerth*
DEPUTY CLERK

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IT IS ORDERED, ADJUDGED AND DECREED that Judgment Notwithstanding the Verdict of the jury is hereby granted to the Defendant, Health Net, Inc. in the following particulars:

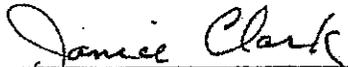
1. The Court apportions fault to "other persons" in the full sum of fifteen percent (15%).

2. The Court finds the jury award of punitive damages to be excessive and reduces such award by thirty percent (30%).

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendant's Motion for New Trial is hereby DENIED, finding no peremptory grounds therefor, nor the interest of justice being subserved thereby.

IT IS FINALLY ORDERED, ADJUDGED AND DECREED that there is no just reason for delay, and that this judgment shall constitute a final appealable judgment and hereby accorded such designation, all at defendants costs.

JUDGMENT READ AND SIGNED in Chambers at Baton Rouge, Louisiana, this 3rd day of November, 2005.



HONORABLE JANICE CLARK
JUDGE, 19TH JUDICIAL DISTRICT COURT

CERTIFIED
TRUE COPY

MAY 02 2011



BY
DEPUTY CLERK