

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

27-APR-2017

TO: J E CULLENS JR
WALTERS PAPILLION THOMAS
12345 PERKINS RD BLDG 1
BATON ROUGE, LA 70810

JAMES J DONELON VS TERRY S SHILLING ETAL

CASE NUMBER: C651069

JUDGE: TIMOTHY E KELLEY

DIVISION: SECTION 22

YOU ARE HEREBY NOTIFIED OF THE FOLLOWING ACTION FOR THE

**AFOREMENTIONED CASE: SEE ENCLOSED COPY OF ORDER SIGNED 4/26/17
REGARDING STATUS CONFERENCE HELD ON 4/18/17**

**PAULA DENNIS
JUDICIAL ASSISTANT TO JUDGE
TIMOTHY E KELLEY**

NOTIFIED:

JAMES J. DONELON, COMMISSIONER :
OF INSURANCE FOR THE STATE OF :
LOUISIANA, IN HIS CAPACITY AS :
REHABILITATOR OF LOUISIANA :
HEALTH COOPERATIVE, INC. :

versus :

TERRY S. SHILLING, GEORGE G. :
CROMER, WARNER L. THOMAS, IV, :
WILLIAM A. OLIVER, CHARLES D. :
CALVI, PATRICK C. POWERS, CGI :
TECHNOLOGIES AND SOLUTIONS, :
INC., GROUP RESOURCES :
INCORPORATED, BEAM PARTNERS, :
LLC, MILLIMAN, INC., BUCK :
CONSULTANTS, LLC. AND :
TRAVELERS CASUALTY AND :
SURETY COMPANY OF AMERICA :

SUIT NO.: 651,069 SECTION: 22

19TH JUDICIAL DISTRICT COURT

STATE

APR 20 2017

BY
CLERK OF COURT

PARISH OF EAST BATON ROUGE

STATE OF LOUISIANA

ORDER

On April 18, 2017, this Court held an in-person status conference to discuss the above-captioned case and set hearing dates for certain exceptions and motions. Present at the status conference were:

J.E. Cullens, Jr., counsel for James J. Donelon, Commissioner of Insurance for the State of Louisiana in his capacity as Rehabilitator of Louisiana Health Cooperative, Inc.

Matt J. Farley, counsel for Travelers Casualty and Surety Company of America

Robert B. Bieck, Jr., counsel for Warner L. Thomas IV and William A. Oliver

Robert J. David, Jr., counsel for George G. Cromer and Charles D. Calvi

Thomas M. McEachin, counsel for Terry Shilling

Henry D. H. Olinde, Jr., counsel for Patrick C. Powers

James A. Brown, counsel for Buck Consultants, LLC

V. Thomas Clark, Jr., counsel for Milliman, Inc.

Isaac H. Ryan, counsel for Beam Partners, LLC

W. Brett Mason, counsel for Group Resources, Inc.

Harry J. Phillips, Jr., counsel for CGI Technologies and Solutions, Inc.

IT IS HEREBY ORDERED, pursuant to the discussion and agreement of all counsel, that

the following dates apply to this case:

May 2, 2017—Specific Filing Deadlines (if necessary):

- Motion to Disqualify Jones Walker as Counsel for Warner Thomas and William Oliver
- Motion to Compel production by director and officer defendants of applicable insurance policies (other than Travelers)

EBR4001844

May 30, 2017, at 9:30 a.m.—Hearing:

- Exception of Lack of Subject Matter Jurisdiction filed by Milliman, Inc.
- Exception of Prematurity/Alternative Motion to Stay Proceedings filed by Beam Partners, LLC
- Exception of Improper Venue filed by Buck Consultant, LLC
- Motion to Disqualify Jones Walker as Counsel for Warner Thomas and William Oliver (if necessary)
- Motion regarding production of other applicable insurance policies (if necessary)

August 25, 2017, at 9:30 a.m.—Hearing:

- Exception of Prescription filed by Group Resources, Inc.
- Motion for Summary Judgment filed by CGI Technologies and Solutions, Inc.
- Exception of Prescription filed by Warner Thomas
- Exception of Prescription filed by Terry Shilling

September 25, 2017, at 9:30 a.m.—Hearing:

- Exceptions of No Right of Action, No Cause of Action, Vagueness and Ambiguity filed by Warner Thomas and William Oliver
- Exceptions of No Right of Action, No Cause of Action, Vagueness and Ambiguity filed by Patrick Powers
- Exceptions of No Right of Action, No Cause of Action, Vagueness and Ambiguity filed by Terry Shilling
- Exceptions of No Right of Action, No Cause of Action and Vagueness filed by George Cromer and Charles Calvi
- Exception of No Cause of Action filed by Travelers Casualty and Surety Company of America

IT IS FURTHER ORDERED that general discovery regarding the merits of this litigation is stayed absent further order of this Court; any discovery prior to September 25, 2017, is limited to specific issues involved in the Motion for Summary Judgment filed by CGI Technologies and Solutions, Inc., any exception of prescription set for hearing on August 25, 2017, and any motion filed regarding the production of applicable insurance policies.

Baton Rouge, Louisiana, this 26 day of April, 2017.

FILED
EAST PATCHUGA, PENNSYLVANIA
2017 APR 26 AM 8:02
J. L. R. R.
DEPUTY CLERK OF COURT

Timothy E. Kelley
Judge, 19th Judicial District Court

I HEREBY CERTIFY THAT ON THIS DAY A COPY OF
THE WRITTEN REASONS FOR JUDGMENT,
JUDGMENT (ORDER) WAS MAILED BY ME, WITH
SUFFICIENT POSTAGE AFFIXED TO:
J. Brown, H. Clark Jr., V. I. Clark Jr., R. Frank
C. B. Mason, R. Borden *M. Agley, M. David, P. J. E. Williams,*
DOKE AND SIGNED ON 4-28-17 *F. Le Clercy*
T. McArthur
Paul J. Borden
DEPUTY CLERK OF COURT *M. Holder*
A. Breckinridge *J. Bandonis*
J. Marrow

RULE 9.5 CERTIFICATE

I certify that I first circulated this proposed Order to counsel for all parties via email on April 18, 2017, and that:

 no opposition was received; or
 X the following oppositions were received:

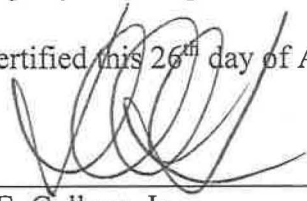
Attorney Rob Bieck, counsel for Warner Thomas and William Oliver, asserted the following objection / suggestion on April 20th: "Defendants Thomas and Oliver do not waive the five working days provided for in Rule 9.5 and therefore object to submission of the order to the court before the close of business on Tuesday, April 25, 2017." No other defense or plaintiff counsel joined or raised this objection; and

Attorney Rob Bieck, counsel for Warner Thomas and William Oliver, asserted the following objection / suggestion on April 20th: "It [our production of several insurance policies which may provide coverage herein] moots the discovery requests served on [defendants Thomas and Oliver] yesterday [April 19th], without waiving the objections that Messrs. Thomas and Oliver have to those requests. It also moots the need for the references to production by them in the draft scheduling order circulated Tuesday, April 18, 2017. Accordingly, we request that plaintiff withdraw the discovery propounded yesterday to Messrs. Thomas and Oliver and revise the scheduling order either to exclude them from the May 2, 2017 deadline to produce other policies or to indicate their compliance." No other defense or plaintiff counsel joined or raised this objection; and

Attorney Rob Bieck, counsel for Warner Thomas and William Oliver, asserted the following objection / suggestion on April 20th: "We also request that the order provide that oppositions to the motions and exceptions identified in it be due 14 days before the hearing on the motion or exception, instead of the eight days allowed by Rule 9.9(c) and that reply briefs be due seven days before the hearing." Attorney Thomas McEachin, counsel for Terry Shilling, joined this request on April 21st, and attorney Tom Clark, representing Milliman, Inc., joined this request on April 21st. No other defense or plaintiff counsel raised or joined this request;

I have allowed at least five (5) working days before presentation to the court.

Certified this 26th day of April, 2017.



J.E. Cullens, Jr.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing has been sent to all counsel of record via email on this 26th day of April, 2017.



J.E. Cullens, Jr.

FILED
CLERK OF COURT
2017 APR 26 AM 8:02
J.E. Cullens, Jr.