

19TH JUDICIAL DISTRICT COURT FOR THE PARISH OF EAST BATON ROUGE

STATE OF LOUISIANA

NO.: 651,069

SECTION 22

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

FILED: _____

DEPUTY CLERK

**BUCK GLOBAL, LLC'S MOTION AND INCORPORATED
MEMORANDUM TO DESIGNATE THE RECORD ON APPEAL**

NOW INTO COURT, through undersigned counsel, comes Buck Global, LLC f/k/a Buck Consultants, LLC ("Buck"), who respectfully moves this Court to designate the record for the appeal of the February 25, 2021 Judgment, upon representing as follows:

1.

On March 8, 2021, Buck filed a Motion for Devolutive Appeal from the Court's February 25, 2021 Judgment denying Buck's Motions to Compel non-parties, the Louisiana Department of Insurance ("LDI") and Lewis & Ellis, Inc. ("L&E"), to Comply with Subpoenas Duces Tecum. The motion was granted, and thus, the appeal taken, on March 10, 2021.

2.

Because of the limited nature of the appeal, Buck respectfully requests that the following portions of the record, including all attachments and exhibits thereto, be designated as the record on appeal, pursuant to Louisiana Code of Civil Procedure article 2128 and Uniform Rule of Louisiana Courts of Appeal 2-1.17.

A. PLEADINGS, ASSOCIATED EXHIBITS, & OTHER RECORD MATERIALS

1. Petition for Damages and Jury Demand, filed September 2, 2016
2. Plaintiff's Supplemental and Amending Petitions
3. Answers to Petition and Amending Petitions
4. Any judgments dismissing a party or parties to the suit
5. All documents, pleadings, attached exhibits, motions, orders, court minutes, and all other materials filed in the trial court record **after September 1, 2020**

B. JUDGMENT BEING APPEALED

1. Order signed February 25, 2021 denying Buck's Motions to Compel filed against non-parties, Louisiana Department of Insurance and Lewis & Ellis, Inc., for failure to comply with Subpoenas Duces Tecum
2. Buck's Motion for Devolutive Appeal, filed March 8, 2021
3. Order Granting Buck's Motion for Devolutive Appeal, signed March 10, 2021
4. Clerk's Notice of Appeal
5. Instant Motion to Designate the Record on Appeal and signed Order of the same
6. Notice of Return Date on the instant appeal and proof and date of cost paid

C. TRANSCRIPTS

1. Transcript, Hearing on Buck's Motion to Compel Louisiana Department of Insurance, Milliman's Motion to Compel Louisiana Department of Insurance, and Buck's Motion to Compel Lewis and Ellis, February 12, 2021
2. Transcript, Hearing on Plaintiff's Motion for Partial Summary Judgment and Motion to Strike Regulator Fault Defenses, November 20, 2020
3. Transcript, Hearing on Defendants' Motion to Compel Plaintiff's Production of responsive LDI documents, September 25, 2020

3.

Buck intends to rely on these designated portions of the record to show that the district court's denial of Buck's Motions to Compel Louisiana Department of Insurance and Lewis & Ellis was erroneous because the subpoenaed documents are discoverable.

WHEREFORE, Buck Global, LLC prays that the Court enter the order presented herewith, directing that the portions of the record designated herein constitute the record on appeal.

Respectfully submitted,

/s/ James A. Brown

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the above and foregoing pleading has been served upon all counsel of record by electronic mail, this 12th day of March, 2021.

/s/ James A. Brown

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DEPUTY CLERK

ORDER

Considering the foregoing Motion to Designate the Record on Appeal, filed by Buck Global, LLC,

IT IS HEREBY ORDERED that the motion is **GRANTED** and that the record of the appeal taken on March 10, 2021 by Buck Global, LLC, shall contain the portions of the record designated in the motion.

Thus done and signed this ____ day of _____ 2021, at Baton Rouge, Louisiana.

The Honorable Timothy Kelley
Judge, 19th Judicial District Court