



19TH JUDICIAL DISTRICT COURT
PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA
300 NORTH BLVD
BATON ROUGE, LA 70801

15TH DAY OF OCTOBER, 2021

TO: J. E. CULLENS JR.
WALTERS, PAPILLION, THOMAS, CULLENS, LLC
12345 PERKINS ROAD, BUILDING ONE
BATON ROUGE, LA 70810

JAMES J DONELON, COMMISSIONER OF INSURANCE FOR THE STATE OF
LOUISIANA VS TERRY S SHILLING, ET AL

CASE NUMBER: C-651069

JUDGE: HON. TIMOTHY E KELLEY

DIVISION: 22

YOU ARE HEREBY NOTIFIED OF THE FOLLOWING ACTION FOR THE

AFOREMENTIONED CASE: ENCLOSED YOU WILL FIND COPIES OF TWO ORDERS
SIGNED ON OCTOBER 14, 2021 BY JUDGE TIMOTHY KELLY.

DEPUTY CLERK FOR DOUG WELBORN

NOTIFIED:

A SIMONE MANUEL
A'DAIR FLYNT
ADAM D WHITWORTH
ALEXANDER N BRECKINRIDGE V
ANDREE MATHERNE CULLENS
C AUSTIN HOLLIDAY
CATHARINE LUO
DAVID R GODOFISKY
FREDERIC THEODORE LE CLERCQ
GEORGE DAVIDSON FAGAN
HARRY ALLAN ROSENBERG
HENRY D H OLINDE JR
J. E. CULLENS JR.
JAMES ALCEE BROWN
JENA W SMITH
JENNIFER W MOROUX
JOHN ASHLEY MOORE
JOHN WILLIAM HITE III
JUSTIN J MAROCCO
JUSTIN KATTAN
JUSTINE N. MARGOLIS
KARL H SCHMID
MATTHEW JOSEPH FARLEY
MICHAEL A BALASCIO

MIRAI S M HOLDEN
MONICA M. VELA-VICK
REID ASHINOFF
RICHARD E BAUDOUIN
ROBERT B BIECK JR
ROBERT J DAVID JR
ROBERT W BARTON
RYAN K FRENCH
SETH A SCHMEECKLE
THOMAS M MCEACHIN
W BRETT MASON

JAMES J. DONELON, COMMISSIONER : SUIT NO.: 651,069 SECTION:
22 OF INSURANCE FOR THE STATE OF :
LOUISIANA, IN HIS CAPACITY AS :
REHABILITATOR OF LOUISIANA :
HEALTH COOPERATIVE, INC. : 19TH JUDICIAL DISTRICT COURT
:
:
versus :
:
GROUP RESOURCES INCORPORATED, : PARISH OF EAST BATON ROUGE
MILLIMAN, INC., BUCK GLOBAL, :
LLC. AND IRONSHORE SPECIALTY :
COMPANY : STATE OF LOUISIANA

ORDER

A hearing, conducted via Zoom, at 10:30 a.m. on September 29, 2021, was held to consider Plaintiff's Motion to Compel Milliman ("Motion"). Participating in this Zoom hearing were:

J. Cullens for Plaintiff, the Receiver of LAHC ("Plaintiff" or "Receiver")

Harry Rosenberg, Justin Kattan, Reid Ashinoff, Justine Margolis, Catherine Luo, and Maria Mannarion for Defendant, Milliman, Inc. ("Milliman")

Considering the briefs and pleadings filed by the parties, the exhibits attached thereto which were all admitted into evidence, applicable law, and the argument of counsel, for the reasons stated in open court following this hearing and for those reasons set forth in Plaintiff's original memorandum in support and reply memorandum in support of this Motion, which are incorporated by reference:

IT IS HEREBY ORDERED that Plaintiff's Motion to Compel Milliman is **GRANTED**; specifically, Milliman is **ORDERED** to do the following on or before November 1, 2021:

- Answer fully INTERROGATORY NO. 1: Please identify each and every CO-OP, other than LAHC, for which Milliman provided Actuarial Services during the years 2010-2016, by providing the name of the CO-OP, the state in which the CO-OP operated or was expected or intended to operate, and the year(s) during which the Actuarial Services were provided. [Note: To clarify INTERROGATORY NO. 1, the term "CO-OP" refers to any health insurer organized and formed pursuant to the Patient Protection and Affordable Care Act of 2010 ("ACA").]
- Produce all engagement letters (signed and executed) that were used to engage Milliman to prepare initial feasibility studies for any ACA CO-OP that hired Milliman for this purpose.

- Produce a complete and accurate copy of all initial feasibility studies that Milliman submitted to the federal government (CMS) on behalf of each ACA CO-OP that hired Milliman.
- Produce all Pro-Forma reports prepared by Milliman for each of the ACA CO-OPs that hired Milliman in 2014 and 2015.
- Produce all of the 2014 rate filings for the individual insurance line of business for each ACA CO-OP that hired Milliman. If multiple filings were submitted, please produce all 2014 rate filings that were filed for each ACA CO-OP that hired Milliman.
- Produce all of the 2014 rate filings for the small group insurance line of business for each ACA CO-OP that hired Milliman. If multiple filings were submitted, please produce all 2014 rate filings that were filed for each ACA CO-OP that hired Milliman.

IT IS FURTHER ORDERED that Defendant, Milliman, shall bear the costs associated with Plaintiff's Motion.

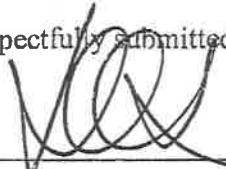
October 14 2021
SO ORDERED this ___ day of October, 2021, at Baton Rouge, Louisiana.



HONORABLE JUDGE TIMOTHY KELLEY

Donelon v. Shilling, et al., No. 651,069
Sec. 22, 19th JDC of Louisiana

Respectfully submitted,



J. E. Cullens, Jr., T.A., La. Bar #23011
Edward J. Walters, Jr., La. Bar #13214
Darrel J. Papillion, La. Bar #23243
Andrée M. Cullens, La. Bar #23212
S. Layne Lee, La Bar #17689
**WALTERS, PAPILLION,
THOMAS, CULLENS, LLC**
12345 Perkins Road, Bldg One
Baton Rouge, LA 70810
Phone: (225) 236-3636

I HEREBY CERTIFY THAT ON THIS DAY A COPY OF
THE WRITTEN REASONS FOR JUDGMENT /
JUDGMENT / ORDER / COMMISSIONER'S
RECOMMENDATION WAS MAILED BY ME WITH
SUFFICIENT POSTAGE AFFIXED.
SEE ATTACHED LETTER FOR LIST OF RECIPIENTS.

DONE AND MAILED ON October 13, 2021


DEPUTY CLERK OF COURT

RULE 9.5(b) CERTIFICATE

I hereby certify that I first circulated a proposed ORDER to counsel for all parties by email on October 1, 2021, and that counsel for Milliman thereafter agreed to the form of this proposed ORDER prior to filing.

Certified this 13th day of October 2021.



J. E. Cullens, Jr.

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing has been furnished via e-mail to all counsel of record as follows, this 13th day of October, 2021, in Baton Rouge, Louisiana.

Harry Rosenberg
Phelps Dunbar
365 Canal Street
Suite 2000
New Orleans, LA 70130

Reid L. Ashinoff
Justin N. Kattan
Justine N. Margolis
Catharine Luo
Dentons US, LLP
1221 Avenue of the Americas
New York, NY 10020



J. E. Cullens, Jr.

JAMES J. DONELON, COMMISSIONER :	SUIT NO.: 651,069 SECTION: 22
OF INSURANCE FOR THE STATE OF :	
LOUISIANA, IN HIS CAPACITY AS :	
REHABILITATOR OF LOUISIANA :	19 TH JUDICIAL DISTRICT COURT
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MILLIMAN, INC., BUCK GLOBAL, :	
LLC. AND IRONSHORE SPECIALTY :	
COMPANY :	STATE OF LOUISIANA

ORDER

A hearing, conducted via Zoom, at 10:30 a.m. on September 29, 2021, was held to consider Defendant's Motion for Partial Summary Judgment on Unconstitutionality of La. R.S. 22:2043.1(A) as Applied ("Motion"). Participating in this Zoom hearing were:

J. Cullens for Plaintiff, the Receiver of LAHC ("Plaintiff" or "Receiver")

Harry Rosenberg, Justin Kattan, Reid Ashinoff, Justine Margolis, Catherine Luo, and Maria Mannarion for Defendant, Milliman, Inc. ("Defendant" or "Milliman")

C. Austin Holliday for Louisiana Attorney General Jeff Landry

Considering the briefs and pleadings filed by the parties, the exhibits attached thereto which were all admitted into evidence, applicable law, and the argument of counsel, for the reasons stated in open court following this hearing and for those reasons set forth in the Receiver's Opposition Memorandum and the Attorney General's Opposition Memorandum regarding this Motion, which are incorporated by reference:

IT IS HEREBY ORDERED that Milliman's Motion for Partial Summary Judgment on Unconstitutionality of La. R.S. 22:2043.1(A) as Applied is **DENIED**.

October 14 2021
 SO ORDERED this ___ day of October, 2021, at Baton Rouge, Louisiana.

I HEREBY CERTIFY THAT ON THIS DAY A COPY OF THE WRITTEN REASONS FOR JUDGMENT / JUDGMENT / ORDER / COMMISSIONER'S RECOMMENDATION WAS MAILED BY ME WITH SUFFICIENT POSTAGE AFFIXED. SEE ATTACHED LETTER FOR LIST OF RECIPIENTS.
 DONE AND MAILED ON October 18, 2021

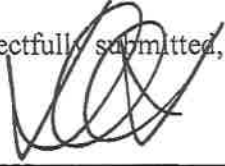


HONORABLE JUDGE TIMOTHY KELLEY

Donelon v. Shilling, et al., No. 651,069
 Sec. 22, 19th JDC of Louisiana


 DEPUTY CLERK OF COURT

Respectfully submitted,

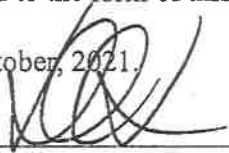


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THOMAS, CULLENS, LLC**
12345 Perkins Road, Bldg One
Baton Rouge, LA 70810
Phone: (225) 236-3636

RULE 9.5(b) CERTIFICATE

I hereby certify that I first circulated a proposed ORDER to counsel for all parties by email on October 1, 2021, and that after edits and revisions suggested by counsel for the Attorney General were made, counsel for Milliman agreed to the form of this proposed ORDER prior to filing.

Certified this 13th day of October, 2021.



J. E. Cullens, Jr.

CERTIFICATE OF SERVICE

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Assistant Attorney General,
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Louisiana Department of Justice
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Baton Rouge, LA 70804



J. E. Cullens, Jr.