

**BEFORE THE COMMISSIONER OF INSURANCE
FOR THE STATE OF LOUISIANA**

IN RE: LOUISIANA HEALTH SERVICE & INDEMNITY COMPANY D/B/A BLUE CROSS
AND BLUE SHIELD OF LOUISIANA

PLAN OF REORGANIZATION REGARDING THE CONVERSION FROM A
MUTUAL INSURANCE COMPANY TO A STOCK INSURANCE COMPANY

CAUSE NO. _____

**OPPOSITION TO OBJECTION TO PETITION FOR INTERVENTION FILED BY
HENRY W. KINNEY, ET AL**

NOW INTO COURT, comes, Henry W. Kinney, individually and as counsel for Kinney, Ellinghausen & DeShazo, Accounting Plus Solutions, L.L.C., Pamela S. Aaron, Robert E. Birtel, Brenda Chase, Mike Chase, Kerrie B. Connella, Tammy L. DeBlieux, Sarah E. Patterson Dougherty, Wendy G. Elmore, Martha C. Foy, William T. Foy, Travis M. Foy, Sonya J. Gatchell, David Giles, Teresa Giles, Riley Hagan, III, (Charles) Anthony Hubley, Benjamin C. McDonald, Kimberly Y. Mitchell, Rebekah N. Burns Peterson, Mary V. Pyles, Lorna B. Reed, Glenn Young, Judith Young, and Peter Z. Vetter (hereinafter collectively referred to as “Intervenors”), who respectfully files this Opposition to oppose the Objection to Petition for Intervention filed by Henry W. Kinney, et. al, and with respect avers as follows,

I.

All of the intervenors are either policy holders, insureds or members of Louisiana Health Service & Indemnity Company d/b/a Blue Cross and Blue Shield of Louisiana (“BCBSLA”). The application of BCBSLA affects all of petitioners in some form or fashion. See Article XII. Definitions of the Plan of Reorganization application in which the following are defined:

“*Member*” shall mean as of any specified date any Person who, in accordance with the records, BCBSLA’s Current Articles and currently effective Amended and Restated Bylaws of BCBSLA, is the Policyholder of an In Force Policy.

“*Membership Interests*” shall mean all of the rights and interests of Policyholders as Members of BCBSLA as arising under and provided by law and by BCBSLA’s Current Articles and currently effective Amended and Restated Bylaws, which rights include, but are not limited to, the rights, if any, to vote and the rights, if any, with regard to the surplus of BCBSLA.

“*Policy*” shall mean any individual insurance policy or group health care benefits contract that has been issued by BCBSLA and under which the Policyholder thereof is a Member with Membership Interests.

“*Policyholder*” shall mean the Person or Persons specified or determined pursuant to Section 11.1.

II.

Since all of the participants, as defined by BCBSLA, have an interest in these proceedings, they should all be allowed as intervenors. However, not all of the intervenors are members, which should not be relevant. A policy holder who receives health insurance from BCBSLA will be affected if the entity is demutualized. BCBSLA is a mutual which is owned and controlled by its members and policyholders. If the plan of reorganization is approved, BCBSLA will be owned and controlled by an Indiana for-profit entity that is not owned or controlled by its members and policy holders.

III.

All of the intervenors will have their health insurance cancelled by a mutual insurance company and sold to a for-profit company, Elevance Health, Inc. Intervenors do not want to be insured by Elevance Health, Inc. Additionally, it is unclear from the plan of reorganization whether policy holders are members or those with membership interest who should receive

compensation from the sale of the assets of BCBSLA.

IV.

All petitioners will present evidence of their status and call the following witnesses at the trial:

1. Tim Barfield, member of the Board of Directors for Blue Cross and Blue Shield of Louisiana.
2. Dr. Steven Udvarhelyi, President and CEO of Blue Cross and Blue Shield of Louisiana.
3. Jason Guilbeau, Vice President and Chief Technology Officer at Blue Cross and Blue Shield of Louisiana
4. A representative or representatives of the Louisiana Hospital Association.
5. A representative or representatives of the Louisiana Medical Society.
6. A representative or representatives of the Louisiana Attorney General's office.
7. A representative or representatives of Elevance Health, Inc.
8. Any other witness listed by any other party or any intervenor.
9. Any witness identified during the course of discovery.
10. Any witness needed for impeachment or rebuttal evidence.
11. Any witness needed for the introduction of any exhibit.
12. Any witness needed to authenticate any document.

V.

All intervenors will participate, as any other party, to these proceedings. Intervenors will not participate individually but will be represented by undersigned counsel, Henry W. Kinney.

WHEREFORE, Intervenors pray that their original petition for intervention be deemed good and sufficient and they be ordered to participate herein as intervenors.

[Signature found on following page.]

**RESPECTFULLY SUBMITTED:
KINNEY, ELLINGHAUSEN & DESHAZO**

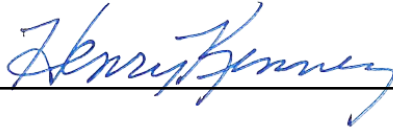


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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of January 2024, a copy of the above and foregoing has been sent via electronic mail to all counsel of record in the proceedings.

KINNEY, ELLINGHAUSEN & DESHAZO:



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