

JAMES J. DONELON, COMMISSIONER OF INSURANCE FOR THE STATE OF LOUISIANA, IN HIS CAPACITY AS REHABILITATOR OF LOUISIANA HEALTH COOPERATIVE, INC.	:	SUIT NO.: 651,069 SECTION: 22
versus	:	19 <sup>TH</sup> JUDICIAL DISTRICT COURT
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	:	PARISH OF EAST BATON ROUGE
	:	STATE OF LOUISIANA

**AFFIDAVIT OF RECEIVER BILLY BOSTICK**

**STATE OF TEXAS**

**COUNTY OF WOOD**

**BEFORE ME**, the undersigned Notary, personally came and appeared:

**BILLY BOSTICK**

who, after being duly sworn, deposed and stated of his own personal knowledge that:

1. I am the court-appointed Receiver for Louisiana Health Cooperative, Inc. (“LAHC”), and have served in this capacity continuously since my appointment as Receiver by formal order of the Receivership Court dated September 21, 2015.
2. I am an independent contractor hired by the Louisiana Department of Insurance (“LDI”) solely to administer LAHC in receivership as the duly appointed Receiver of LAHC.
3. I was not involved in the oversight, management, or regulation of LAHC before it was placed into Receivership on or about September 1, 2015.



4. In my capacity as Receiver of LAHC, I am in possession of, have custody of, and have control over all documents, data, and materials within the possession, custody, and control of LAHC.

5. Documents, data, or materials of any kind provided to LAHC by the LDI, if any, should be contained in the data previously produced by me, through my counsel of record, in the above-captioned proceeding (this "Suit"), and I have not instructed my attorney or anyone else to redact or withhold from production any such LDI documents, data, or materials from the prior production in this Suit.

6. Other than what has been previously produced by LAHC through discovery in this Suit, neither I nor any of my agents or representatives have possession of any internal regulatory documents maintained by the LDI regarding LAHC.

7. Other than what has been previously produced by LAHC through discovery in this Suit, neither I nor any of my agents or representatives have the power or legal authority to demand that any internal regulatory documents maintained by the LDI regarding LAHC be produced.

8. The Louisiana Commissioner of Insurance has not authorized me to respond to requests to inspect any documents, data, or materials within the possession, custody, or control of LDI.

9. Neither I nor any of my agents or representatives have reviewed any documents, data, or materials within the possession, custody, or control of LDI to determine whether they are non-discoverable or privileged in any way.

10. It is my understanding as Receiver of LAHC that the internal regulatory documents maintained by the LDI regarding LAHC which have been requested by defendants in this Suit may

be non-discoverable pursuant to Louisiana statutory law or possibly privileged pursuant to applicable law.

11. It is my further understanding as Receiver of LAHC that the Louisiana Commissioner of Insurance has the sole discretion regarding whether to produce the internal regulatory documents maintained by the LDI regarding LAHC which have been requested by defendants in this Suit.

12. After advising the LDI of defendants' discovery requests in this Suit which are directed at documents, data, and materials not within the possession of LAHC, I was informed that LDI would produce whatever records that LDI has within its custody which are subject to a public records request. The LDI further told me that the records produced by LDI pursuant to a public records request would be the same records regardless of who requested them—whether by me as Receiver or any defendant in this Suit or any other person.

13. I have worked as a Receiver hired by the LDI on approximately two (2) cases other than LAHC. In my experience in these other Receivership cases, I have never considered myself to be the custodian of any internal regulatory documents maintained by the LDI. In my experience, the LDI is the custodian of any internal regulatory documents maintained by LDI. In those other Receivership cases where I served as Receiver, as is the case in this Suit, if I or any defendant in the Suit or any other interested party sought the production of any internal regulatory documents maintained by the LDI, I or any other interested party would make a public records request directly to the LDI.

14. In my experience as a Receiver hired by the LDI, my duties and authority are defined by my capacity as the duly-appointed Receiver of a failed insurance company. In my capacity as Receiver, I do not have any authority to regulate insurance companies or serve as the

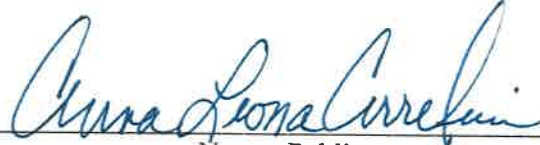
custodian of any regulatory records maintained by LDI. The Louisiana Commissioner of Insurance, in his capacity as regulator, has duties and authority that are separate and distinct from my duties and authority as Receiver.

15. I declare under penalty of perjury that the foregoing is true and correct to the best of my personal knowledge.

Executed on this 17<sup>th</sup> day of September, 2020.

  
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**BILLY BOSTICK, RECEIVER OF  
LOUISIANA HEALTH COOPERATIVE, INC.**

**SWORN TO AND SUBSCRIBED BEFORE ME** this 17<sup>th</sup> day of September, 2020.

  
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Notary Public

