

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 :

CGI TECHNOLOGIES AND :
SOLUTIONS, INC., GROUP :
RESOURCES INCORPORATED, BEAM :
PARTNERS, LLC, MILLIMAN, INC., :
BUCK CONSULTANTS, LLC. WARNER :
L. THOMAS, IV, WILLIAM A. OLIVER, :
SCOTT POSECAI, PAT QUINLAN, :
PETER NOVEMBER, MICHAEL :
HULEFELD, ALLIED WORLD :
SPECIALTY INSURANCE :
COMPANY a/k/a DARWIN NATIONAL :
ASSURANCE COMPANY, :
ATLANTIC SPECIALTY INSURANCE :
COMPANY, EVANSTON INSURANCE :
COMPANY, RSUI INDEMNITY :
COMPANY AND ZURICH AMERICAN :
INSURANCE COMPANY :

PARISH OF EAST BATON ROUGE

19TH JUDICIAL DISTRICT COURT

STATE OF LOUISIANA

MOTION FOR LEAVE TO FILE PLAINTIFF'S
FOURTH AMENDED PETITION FOR DAMAGES AND REQUEST FOR JURY TRIAL
AND INCORPORATED MEMORANDUM IN SUPPORT

NOW INTO COURT, through undersigned counsel, comes Plaintiff, James J. Donelon, Commissioner of Insurance for the State of Louisiana in his capacity as Rehabilitator of Louisiana Health Cooperative, Inc. ("LAHC"), through his duly appointed Receiver, Billy Bostick ("Plaintiff" or the "Commissioner"), who respectfully moves this Honorable Court for leave to file the attached Fourth Amended Petition for Damages and Request for Jury Trial ("Fourth Amended Petition"), pursuant to Louisiana Code of Civil Procedure article 1151 and Local Rule 9.9(g)(4), for the reasons set forth below:

Plaintiff would like to clarify that his claims do not include claims on behalf of the Louisiana Department of Insurance as Regulator. Plaintiff therefore respectfully moves for leave of Court to file the attached, Fourth Amended Petition, which specifically amends Plaintiff's previously filed and pending Second Amended Petition for Damages and Request for Jury Trial, as amended by the Third Amended Petition for Damages and Request for Jury Trial.

The filing of this Fourth Amended Petition will not delay this case or cause any undue hardship whatsoever on the defendants. Discovery is in the initial stages. No depositions have yet

been taken. A Case Management Schedule (“CMS”) was signed by this Honorable Court on September 14, 2020, which sets an April 1, 2021, deadline to amend pleadings. No trial date has been set.

WHEREFORE, Plaintiff prays that this Motion for Leave be granted, and that his Fourth Amended Petition for Damages be filed without delay.

Respectfully submitted,



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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 4th day of November, 2020, in Baton Rouge, Louisiana.

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PARISH OF EAST BATON ROUGE

19TH JUDICIAL DISTRICT COURT

STATE OF LOUISIANA

ORDER

Considering Plaintiff's Motion for Leave to File Fourth Amended Petition for Damages and Request for Jury Trial (with Incorporated Memorandum):

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the Motion for Leave is **GRANTED**, and the Plaintiff's Fourth Amended Petition for Damages and Request for Jury Trial be deemed filed.

SIGNED this ____ day of _____, 2020, at Baton Rouge, Louisiana.

HON. JUDGE TIMOTHY KELLEY, 19th JDC

PLEASE PROVIDE NOTICE
PURSUANT TO LSA-CCP ART. 1913