

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

POSTED

NOV 29 2017

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STATE OF LOUISIANA

NUMBER: 641 928

SECTION: 26

JAMES J. DONELON
COMMISSIONER OF INSURANCE FOR THE STATE OF LOUISIANA

RECEIVED

VERSUS

LOUISIANA HEALTH COOPERATIVE, INC.

NOV 29 2017

CLERK OF THE
19TH JUDICIAL COURT

FILED: _____

DEPUTY CLERK

STATE
FILED

**MOTION TO APPROVE REIMBURSEMENT TO THE LAW FIRM OF WALTERS PAPILLION THOMAS
CULLENS FOR LITIGATION VALIDATION EXPENSES PERFORMED BY BUTTNER HAMMOCK &
COMPANY, P.A. AND TO FILE THE INVOICES FOR SAME UNDER SEAL**

NOW INTO COURT, through undersigned counsel comes James J. Donelon, Commissioner of Insurance for the State of Louisiana as Rehabilitator of Louisiana Health Cooperative, through the Commissioner's Court-appointed Receiver, Billy Bostick ("LAHC"), who respectfully moves the Court as follows:

1.

Pursuant to La. R.S. 22:2018, the Commissioner of Insurance shall have the power to the power to appoint one or more special deputies as his agent or agents and to employ such clerks, or assistants as may by him be deemed necessary, and to give such persons such powers to assist as he may consider wise.

2.

On March 31, 2017, this Court approved the March 21, 2017 addendum to the contract between Walters, Papillion, Thomas, Cullens ("WPTC") and James J. Donelon, Commissioner of Insurance for the State of Louisiana in his capacity as Rehabilitator of Louisiana Health Cooperative, Inc. ("LAHC"), which provided that LAHC would reimburse WPTC for all "Litigation Validation Expenses" incurred for expert investigation, research, and validation of LAHC procedures, methodologies, calculations, and repricing related to LAHC claims and LAHC enrollment data. A copy of the order approving the WPTC addendum is attached hereto and incorporated herein as Exhibit A.



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3.

WPTC has submitted to LAHC certain invoices for the "Litigation Validation Expenses" performed by Buttner Hammock & Company, P.A. ("Buttner"), for which WPTC seeks reimbursement from LAHC.

4.

The total amount of reimbursement due to WPTC from LAHC for the litigation validation expenses is \$159,431.82.

5.

Because of the ongoing LAHC Recovery Suit¹, the Buttner invoices should be filed under seal.

6.

The detailed invoice, approved by LAHC and the Louisiana Department of Insurance, and the affidavit certifying the fees and expenses incurred is attached hereto and marked **Exhibit B** and filed under seal.

WHEREFORE, the Receiver requests that the Court authorize and approve LAHC's reimbursement to WPTC for the certified Buttner fees and expenses rendered as per the attached invoices, filed under seal as **Exhibit B**, in the total amount of \$159,431.82 and order that said fees and expenses be paid out of the funds and assets of the LAHC estate, and for all other appropriate relief.

Respectfully Submitted,

BURGLASS & TANKERSLEY, LLC

BY: *Sue Buser*

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Attorneys for **JAMES J. DONELON, Commissioner of Insurance for the State of Louisiana as Rehabilitator of Louisiana Health Cooperative, Inc. in Rehabilitation**

¹ The LAHC Recovery Suit, Donelon v. Shilling, case number 651-069 Section 22, is pending and seeks recovery from various former LAHC officers, directors, contractors, professionals and their insurers.

CERTIFICATE OF SERVICE

I hereby certify that I have not served a copy of the foregoing pleading on any counsel in these proceedings because there are no other parties in these proceedings, this ____ day of November, 2017.

Sam Buser

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Quinn Wood

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VERSUS
LOUISIANA HEALTH COOPERATIVE, INC.

FILED: _____

DEPUTY CLERK

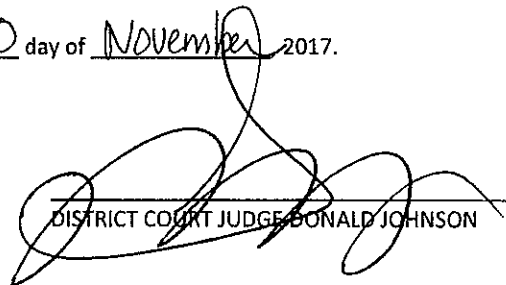
ORDER

Considering the motion of James J. Donelon, Commissioner of Insurance for the State of Louisiana as Rehabilitator of Louisiana Health Cooperative, through the Commissioner's Court-appointed Receiver, Billy Bostick ("LAHC") to approve reimbursement to the law firm of Walters Papillion Thomas Cullens for Litigation Validation Expenses performed by Buttner Hammock & Company, and to file invoices for same under seal, and the Court finding that the mover is entitled to the relief requested,

IT IS HEREBY ORDERED that James J. Donelon, Commissioner of Insurance for the State of Louisiana as Rehabilitator of Louisiana Health Cooperative, through the Commissioner's Court-appointed Receiver, Billy Bostick ("LAHC") be and hereby is authorized and ordered to reimburse the law firm of Walters Papillion Thomas Cullens for the litigation validation fees and expenses performed by the firm of Buttner Hammock & Company, P.A. in the amount of \$159,431.92 and that the Receiver, Billy Bostick, is ordered to pay same forthwith from the funds and assets of Louisiana Health Cooperative, Inc. in Rehabilitation.

Baton Rouge, Louisiana, this 30 day of November 2017.

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Lizalae Walsh


DISTRICT COURT JUDGE DONALD JOHNSON