



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

9TH DAY OF MARCH, 2021

TO: SUE BUSER
BURGLASS & TANKERSLEY LLC
5213 AIRLINE DRIVE
METAIRIE, LA 70001-5602

JAMES J. DONELON, COMMISSIONER OF INSURANCE FOR THE STATE OF
LOUISIANA VS LOUISIANA HEALTH COOPERATIVE, INC.

CASE NUMBER: C-641928

JUDGE: HON. RICHARD "CHIP" MOORE

DIVISION: 26

YOU ARE HEREBY NOTIFIED OF THE FOLLOWING ACTION FOR THE

AFOREMENTIONED CASE: Please find enclosed a copy of the SECOND MOTION TO
SUBSTITUTE AND AMEND MOTION REQUESTING APPROVAL OF SETTLEMENT OF
CLAIMS INVOLVING DEFENDANTS, ALLIED WORLD SPECIALTY INSURANCE
COMPANY, (F/K/A DARWIN NATIONAL ASSURANCE COMPANY AND ITS
AFFILIATES), ATLANTIC SPECIALTY INSURANCE COMPANY, EVANSTON
INSURANCE COMPANY, RSUI INDEMNITY COMPANY AND ZURICH AMERICAN
INSURANCE COMPANY ("EXCESS INSURERS") IN 19TH JUDICIAL DISTRICT COURT
CASE NUMBER 651 069, SECTION 22 AND TO FILE SETTLEMENT AGREEMENT
UNDER SEAL AND TO AGAIN REFLECT REPLACEMENT OF PARAGRAPH 5 AS TO
LAHC RESERVATION OF RIGHTS, AND ORDER signed by Judge Moore on March 4, 2021.

DEPUTY CLERK FOR DOUG WELBORN

NOTIFIED:

MICHAEL CHARLES GUY
SUE BUSER



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

STATE OF LOUISIANA

NUMBER: 641 928

SECTION: 26

JAMES J. DONELON
COMMISSIONER OF INSURANCE FOR THE STATE OF LOUISIANA
VERSUS
LOUISIANA HEALTH COOPERATIVE, INC.

FILED: _____

DEPUTY CLERK

ORDER

**SECOND MOTION TO SUBSTITUTE AND AMEND MOTION REQUESTING
APPROVAL OF SETTLEMENT OF CLAIMS INVOLVING DEFENDANTS,
ALLIED WORLD SPECIALTY INSURANCE COMPANY, (F/K/A DARWIN NATIONAL ASSURANCE
COMPANY) AND ITS AFFILIATES) ATLANTIC SPECIALTY INSURANCE COMPANY,
EVANSTON INSURANCE COMPANY, RSUI INDEMNITY COMPANY, AND
ZURICH AMERICAN INSURANCE COMPANY ("EXCESS INSURERS")
IN 19TH JUDICIAL DISTRICT COURT CASE NUMBER 651 069, SECTION 22
AND TO FILE SETTLEMENT AGREEMENT UNDER SEAL AND TO AGAIN REFLECT REPLACEMENT
OF PARAGRAPH 5 AS TO LAHC RESERVATION OF RIGHTS**

Considering the foregoing Second Motion To Substitute and Amend Paragraph 5 of the Motion Requesting Approval of Settlement of Claims Involving Defendants Allied World Specialty Insurance Company (f/k/a Darwin National Assurance Company) and its affiliates ("Allied World"), Atlantic Specialty Insurance Company ("Atlantic Specialty"), Evanston Insurance Company ("Evanston"), RSUI Indemnity Company ("RSUI"), and Zurich American Insurance Company ("Zurich") ("Excess Insurers"), in 19th Judicial District Court Case Number 651 069, Section 22, and to file Settlement Agreement under seal and to Again Reflect Replacement of Paragraph 5 as to LAHC Reservation of Rights, and the Court finding that mover is entitled to the relief granted herein:

IT IS ORDERED, ADJUDGED AND DECREED that

- 1) the Motion and Incorporated Memorandum Requesting Approval of Settlement of Claims Involving Allied World Specialty Insurance Company (f/k/a Darwin National Assurance Company) and its affiliates ("Allied World"), Atlantic Specialty Insurance Company ("Atlantic Specialty"), Evanston Insurance Company ("Evanston"), RSUI Indemnity Company ("RSUI"), and Zurich American Insurance Company ("Zurich"), (all collectively "Excess Insurers"), Defendants in 19th Judicial District Court Case Number 651 069, Section 22, and to file Settlement Agreements under Seal, filed in this matter on or about February 19, 2021, be and same hereby is **AMENDED as to Paragraph 5**,
- 2) the Motion To Substitute and Amend Motion and Incorporated Memorandum Requesting Approval of Settlement of Claims Involving Allied World Specialty Insurance

Company (f/k/a Darwin National Assurance Company) and its affiliates ("Allied World"), Atlantic Specialty Insurance Company ("Atlantic Specialty"), Evanston Insurance Company ("Evanston"), RSUI Indemnity Company ("RSUI"), and Zurich American Insurance Company ("Zurich") (all collectively "Excess Insurers"), Defendants in 19th Judicial District Court Case Number 651 069, Section 22, and to file Settlement Agreement under Seal, filed in this matter on or about February 22, 2021, be and same hereby is **AMENDED as to Paragraph 5.**

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Paragraph 5 shall be replaced in both motions to read as follows;

5.

Pursuant to the terms of the proposed settlement with the Excess Insurers, LAHC reserved certain claims against non-settling parties in the LAHC Recovery Suit, including, but not limited to, Group Resources, Inc., Milliman, Inc., Buck Consultants, LLC, and their insurers.

And that in all other respects the original motion and the Motion to Substitute and Amend the original motion remain in full force and effect.

Baton Rouge, Louisiana, this **04** day of **March**, 2021.



DISTRICT COURT JUDGE RICHARD "CHIP" MOORE, III

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 March 10, 2021



DEPUTY CLERK OF COURT