

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

IN RE: MULTIPLAN HEALTH  
INSURANCE PROVIDER LITIGATION

This Document Relates To:

1:24-cv-7177

1:24-cv-6802

Case No. 1:24-cv-6795

MDL No. 3121

Hon. Matthew F. Kennelly

**DEFENDANTS' JOINT MOTION TO DISMISS THE CONSOLIDATED CLASS  
ACTION COMPLAINT**

Pursuant to Federal Rule of Civil Procedure 12(b)(6), Defendants MultiPlan, Inc., MultiPlan Corporation, National Care Network, LLC, Viant Payment Systems, Inc., Viant, Inc., Aetna, Inc., Blue Shield of California Life & Health Insurance Company, Blue Cross Blue Shield of Michigan Mutual Insurance Company, The Cigna Group, Elevance Health, Inc., Health Care Service Corporation, Highmark Inc., Horizon Healthcare Services, Inc. (Horizon Blue Cross and Blue Shield of New Jersey), and UnitedHealth Group Inc. (collectively "Defendants") hereby move this Court to dismiss Plaintiffs' Consolidated Class Action Complaint with prejudice. In support of this Motion, Defendants concurrently submit a Memorandum of Law in Support and the Declaration of Sadik Huseny with attached exhibits.

Dated: January 16, 2025

Respectfully Submitted,

/s/ Sadik Huseny

Sadik Huseny (*pro hac vice*)  
**LATHAM & WATKINS LLP**  
300 Colorado Street, Suite 2400  
Austin, TX 78701  
Telephone: (737) 910-7300  
sadik.huseny@lw.com

Gary Feinerman (IL Bar No. 6206906)  
**LATHAM & WATKINS LLP**  
330 N Wabash Avenue, Suite 2800  
Chicago, IL 60611  
Telephone: (312) 876-7700  
gary.feinerman@lw.com

Lawrence E. Buterman (*pro hac vice*)  
Katherine A. Rocco (*pro hac vice*)  
**LATHAM & WATKINS LLP**  
1271 Avenue of the Americas  
New York, NY 10020  
Telephone: (212) 906-1200  
lawrence.buterman@lw.com  
katherine.rocco@lw.com

Anna M. Rathbun (*pro hac vice*)  
Graham B. Haviland (*pro hac vice*)  
**LATHAM & WATKINS LLP**  
555 Eleventh Street, NW  
Suite 1000  
Washington, DC 20004  
Telephone: (202) 637-2200  
anna.rathbun@lw.com  
graham.haviland@lw.com

Craig Lewis Caesar (IL Bar. No 3121593)  
**PHELPS DUNBAR LLP**  
365 Canal Street, Suite 2000  
New Orleans, LA 70130  
Telephone: (504) 584-9272  
craig.caesar@phelps.com

/s/ E. Desmond Hogan (w/ consent)

E. Desmond Hogan  
Justin W. Bernick  
W. David Maxwell (*pro hac vice*)  
**HOGAN LOVELLS US LLP**  
555 Thirteenth Street, N.W.  
Washington, D.C. 20004  
Telephone: (202) 637-5600  
desmond.hogan@hoanlovells.com  
justin.bernick@hoganlovells.com  
david.maxwell@hoganlovells.com

Jordan D. Teti  
**HOGAN LOVELLS US LLP**  
1999 Avenue of the Stars, Suite 1400  
Los Angeles, CA 90067  
Telephone: (310) 785-4600  
jordan.teti@hoganlovells.com

*Attorneys for Defendants Elevance Health, Inc.;*  
*Horizon Health Services, Inc. (Horizon Blue*  
*Cross and Blue Shield of New Jersey)*

/s/ Daniel R. Campbell (w/ consent)

Daniel R. Campbell  
Emilie E. O'Toole  
**MCDERMOTT, WILL & EMERY LLP**  
444 West Lake Street, Suite 4000  
Chicago, IL 60606  
Telephone: (312) 984-7782  
dcampbell@mwe.com  
eotoole@mwe.com

Joshua B. Simon (*pro hac vice*)  
Warren Haskel (*pro hac vice*)  
Dmitriy G. Tishyevich (*pro hac vice*)  
Caroline Incledon (*pro hac vice*)  
Chelsea Edith Rae Cosillos (*pro hac vice*)  
**MCDERMOTT, WILL & EMERY LLP**  
One Vanderbilt Avenue  
New York, NY 10017  
Telephone: (212) 547-5444  
jsimon@mwe.com  
whaskel@mwe.com  
dtishyevich@mwe.com

Errol J. King (*pro hac vice*)  
Katherine Mannino (*pro hac vice*)  
**PHELPS DUNBAR LLP**  
II City Plaza  
400 Convention Street, Suite 1100  
Baton Rouge, LA 70802  
Telephone: (225) 376-0279  
errol.king@phelps.com  
katie.manino@phelps.com

*Attorneys for Defendants MultiPlan, Inc.;  
MultiPlan Corporation; National Care  
Network, LLC; Viant Payment Systems, Inc.;  
and Viant, Inc.*

/s/ Katherine A. Trefz (w/ consent)  
Jonathan B. Pitt  
Katherine A. Trefz  
Feyilana Lawoyin  
**WILLIAMS & CONNOLLY LLP**  
680 Maine Avenue, S.W.  
Washington, DC 20024  
Telephone: (202) 434-5000  
jpitt@wc.com  
ktrefz@wc.com  
flawoyin@wc.com

*Attorneys for Defendant Aetna Inc.*

/s/ Scott Jared Fisher (w/ consent)  
Scott Jared Fisher  
Eric Y. Choi  
**NEAL, GERBER & EISENBERG**  
Two North LaSalle Street, Suite 1700  
Chicago, IL 60602  
Telephone: (312) 269-8035  
sfisher@nge.com  
echoi@nge.com

Rachel S. Brass (*pro hac vice*)  
Henry H. Cornillie  
**GIBSON, DUNN & CRUTCHER LLP**  
One Embarcadero Center, Suite 2600  
San Francisco, CA 94111  
Telephone: (415) 393-8293  
rbrass@gibsondunn.com  
hcornillie@gibsondunn.com

cincledon@mwe.com  
ccosillos@mwe.com

*Attorneys for Defendant The Cigna Group*

/s/ Brian P. Kavanaugh (w/ consent)  
Brian P. Kavanaugh  
Scott D. Stein  
**SIDLEY AUSTIN LLP**  
One South Dearborn  
Chicago, IL 60603  
Telephone: (312) 853-7000  
bkavanaugh@sidley.com  
sstein@sidley.com

*Attorneys for Defendant Health Care Service  
Corporation*

/s/ Todd M. Stenerson (w/ consent)  
Todd M. Stenerson  
**ALLEN OVERY SHEARMAN STERLING  
US LLP**  
1101 New York Avenue NW  
Washington, DC 20005  
Telephone: (202) 508-8093  
todd.stenerson@aoshearman.com

Richard Franklin Schwed (*pro hac vice*)  
**ALLEN OVERY SHEARMAN STERLING  
US LLP**  
599 Lexington Avenue  
New York, NY 10022  
Telephone: (212) 848-5445  
rschwed@aoshearman.com

Samuel W. Cooper (*pro hac vice*)  
**ALLEN OVERY SHEARMAN STERLING  
US LLP**  
800 Capitol Street, Suite 2200  
Houston, TX 77002  
Telephone: (713) 354-4838  
samuel.cooper@aoshearman.com

*Attorneys for Defendant Blue Cross Blue Shield  
of Michigan Mutual Insurance Company*

Joshua Lipton (*pro hac vice*)  
Kristen C. Limarzi (*pro hac vice*)  
**GIBSON, DUNN & CRUTCHER LLP**  
1700 M Street, N.W.  
Washington, DC 20036  
Telephone: (202) 955-8500  
jlipton@gibsondunn.com  
klimarzi@gibsondunn.com

Heather L. Richardson (*pro hac vice*)  
**GIBSON, DUNN & CRUTCHER LLP**  
333 South Grand Avenue  
Los Angeles, CA 90071  
Telephone: (213) 229-7000  
hrichardson@gibsondunn.com  
*Attorneys for Defendant UnitedHealth  
Group, Inc.*

/s/ Stephen D. Libowsky (w/ consent)  
Stephen D. Libowsky (IL Bar No. 6187081)  
Rebecca A. Finkel (IL Bar No. 6317199)  
**MANATT, PHELPS & PHILLIPS, LLP**  
151 North Franklin Street  
Chicago, Illinois 60606  
Telephone: (312) 529-6300  
slibowsky@manatt.com  
rfinkel@manatt.com

Gregory N. Pimstone (*pro hac vice*)  
**MANATT, PHELPS & PHILLIPS, LLP**  
2049 Century Park East, Suite 1700  
Los Angeles, CA 90067  
Telephone: (310) 312-4000  
gpimstone@manatt.com

*Attorneys for Defendant Blue Shield of  
California Life & Health Insurance Company*

/s/ William J. Sheridan (w/ consent)  
William J. Sheridan (*pro hac vice*)  
Courtney Bedell Averbach (*pro hac vice*)  
Leah E. Hungerman (*pro hac vice*)  
**REED SMITH LLP**  
225 Fifth Avenue  
Pittsburgh, PA 15222  
Telephone: (412) 288-3131  
Facsimile: (412) 288-3063

*Attorneys for Defendant Highmark Inc.*

**CERTIFICATE OF SERVICE**

I, Sadik Huseny, hereby certify that on this 16th day of January, 2025, I caused the foregoing to be electronically filed with the Clerk of the Court of the United States District Court for the Northern District of Illinois, Eastern Division, using the CM/ECF system, which sent notification of such filing to all filing users.

/s/ Sadik Huseny  
Sadik Huseny