

Cairns, Kelly (OIC)

From: Cairns, Kelly (OIC)
Sent: Tuesday, February 19, 2013 1:41 PM
To: 'Bob Sullivan'
Cc: Gorman, Tim (CHI); Melfi, Mitch; 'DuPuis, Linda'; 'Parker, Tim'; 'Frank Ross, Joanie Botkin'; Reynolds, Kate (OIC); 'rsullivan1@kc.rr.com'
Subject: RE: In the Matter of the Proposed Acquisition of Control of SoundPath Health, Inc. No. 13-0039

FILED

2013 FEB 20 A 9 38

Hearings Unit, DIC
Patricia D. Petersen
Chief Hearing Officer

Please find below a letter from Judge Petersen clarifying the request for information on regulatory actions and litigation.

--Kelly

February 19, 2013

Dear Mr. Sullivan:

I have received, filed and reviewed your February 16, 2013 letter, which asks for 1) a clarification or limitation of the additional information relative to states' regulatory actions, and also relative to current and past litigation, which is requested in the Notice of Hearing in Docket No. 13-0039; and/or 2) an extension of time to provide the additional information requested in that Notice of Hearing.

1. I had been focusing on your November 21, 2012 responses to the OIC's October 30, 2012 deficiency letter. In Question No. 11 you quote the OIC's question as *"Please provide any information regarding any pending or ongoing litigation between SPH [SoundPath Health Plan Services, Inc.], CHI [Catholic Health Initiatives, Inc.], or its affiliates against any Washington state agency"* and you responded *"We are not aware of any litigation between SPH and a Washington state agency other than the issues with the OIC."*
 - As to SPH, my revised request is: *"Please provide detailed information about all states' and federal government's regulatory actions against SPH which were either commenced, pending or concluded in the past two years."*
 - As to CollabHealth Plan Services, Inc. ("CPS"), the Applicant, because it has just recently been formed to facilitate this proposed acquisition, information concerning CPS is not sufficiently meaningful. For this reason, my revised request is: *"Please provide detailed information about all current and past states' and federal government's regulatory actions against CHI, CPS or any of their affiliates which commenced, were pending or were concluded in the past two years and which are relevant to an insurance carrier claims management and/or insurance carrier payor system."*
2. I had been focusing on your November 21, 2012 responses to the OIC's October 30, 2012 deficiency letter. In Question No. 12 you quote the OIC's question as *"Please provide any information regarding any pending or ongoing litigation against SPH, CHI or any of its affiliates"* and you responded *"See Attachment 10 for a summary of material litigation involving CHI and the subsidiaries listed in the attachment. Per our discussion, we are only including in this summary all material litigation involving a CHI subsidiary with potential losses whose expected effects on the consolidated financial statements would be more than \$2,000,000."* and you add that *"We are not aware of any material litigation involving SPH."*
 - As to SPH, my revised request is: *"Please provide detailed information about all litigation involving SPH as a defendant which was either commenced, was pending or was concluded in the past two years."*

- As to CPS, the Applicant, because it has just recently been formed to facilitate this proposed acquisition, information concerning CPS is not sufficiently meaningful. For this reason, my revised request is: "Please provide detailed information about all litigation in which CHI, CPS and/or any of their affiliates is a defendant which commenced, was pending or was concluded in the past two years and which is relevant to an insurance carrier claims management and/or insurance carrier payor system." This request is not limited to those which bear an expected effect on the consolidated financial statements of more than \$2,000,000.

Please submit the above information by close of business on February 25, 2013, or earlier if possible. Thank you very much for your attention to these requests.

Patricia D. Petersen
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From: Bob Sullivan [mailto:RSullivan@Polsinelli.com]
Sent: Saturday, February 16, 2013 5:26 PM
To: Cairns, Kelly (OIC)
Cc: Gorman, Tim (CHI); Melfi, Mitch; 'DuPuis, Linda'; 'Parker, Tim'; Frank Ross; Jeanie Botkin; Reynolds, Kate (OIC); 'rsullivan1@kc.rr.com'; Bob Sullivan
Subject: In the Matter of the Proposed Acquisition of Control of SoundPath Health, Inc. No. 13-0039

Kelly,

The attached is a letter that I request that you deliver to Judge Peterson early in the day on February 19, 2013 with respect to the Notice of Hearing in the above-subject matter.

Thank you for your assistance with respect to this matter.

Best regards,

Bob Sullivan

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