

**IN THE CIRCUIT COURT OF WOOD COUNTY, WEST VIRGINIA
BUSINESS COURT DIVISION**

HIGHMARK WEST VIRGINIA, INC.,

Plaintiff,

vs.

**Civil Action No.: 18-C-271
Presiding Judge: Shawn D. Nines
Resolution Judge: Christopher C. Wilkes**

MEDTEST LABORATORIES, LLC, et al.,

Defendants.

MEDTEST LABORATORIES LLC,

**Counterclaim and Third-Party
Plaintiff,**

vs.

HIGHMARK WEST VIRGINIA INC., et al.,

**Counterclaim and Third-Party
Defendants.**

 **ENTERED**
O.B. No. _____
PAGE _____

SEP 16 2019

**CAROLE JONES
CLERK CIRCUIT COURT**

BRIEFING ORDER

IT APPEARING that Third-Party Defendants, Blue Cross Blue Shield of Alabama, Anthem, Inc., Health Care Service Corporation, a Mutual Legal Reserve Company, Cambia Health Solutions, Inc. and its subsidiaries and affiliated companies, Regence BlueCross BlueShield of Oregon, Regence BlueShield, Regence BlueCross BlueShield of Utah, and Regence BlueShield of Idaho, Inc., CareFirst, Inc. and its subsidiaries and affiliated companies, CareFirst of Maryland, Inc. d/b/a CareFirst BlueCross BlueShield, Premera Blue Cross, Blue Cross and Blue Shield of Arizona, Inc., USABLE Mutual Insurance Company d/b/a Arkansas Blue

9/16/19 CCx14 Bus. Court ; 13 attys per list on vault

Cross and Blue Shield and Blue Advantage Administrators of Arkansas, Blue Cross of California d/b/a Anthem Blue Cross, California Physicians' Service d/b/a Blue Shield of California, Rocky Mountain Hospital and Medical Service, Inc. d/b/a Anthem Blue Cross and Blue Shield, Anthem Blue Cross and Blue Shield, Anthem Health Plans Inc. d/b/a Anthem Blue Cross and Blue Shield of Connecticut, Highmark Inc., Highmark BCBSD Inc. d/b/a Highmark Blue Cross and Blue Shield Delaware, Blue Cross and Blue Shield of Florida, Inc., Blue Cross and Blue Shield of Georgia, Inc., Blue Cross of Idaho Health Service, Inc., Blue Cross and Blue Shield of Illinois, Inc., Anthem Insurance Companies, Inc. d/b/a Anthem Blue Cross and Blue Shield of Indiana, Wellmark, Inc. d/b/a Wellmark Blue Cross and Blue Shield of Iowa and its affiliated company Wellmark of South Dakota, Inc. d/b/a Wellmark Blue Cross and Blue Shield of South Dakota, Anthem Health Plans of Kentucky, Inc. d/b/a Anthem Blue Cross and Blue Shield of Kentucky, Louisiana Health Service and Indemnity Company, PAC d/b/a Blue Cross and Blue Shield of Louisiana, Anthem Health Plans of Maine, Inc. d/b/a Anthem Blue Cross and Blue Shield of Maine, Blue Cross and Blue Shield of Massachusetts, Inc., Blue Cross and Blue Shield of Michigan, BCBSM, Inc. d/b/a/ Blue Cross and Blue Shield of Minnesota, Blue Cross & Blue Shield of Mississippi, A Mutual Insurance Company, HMO Missouri, Inc. d/b/a Anthem Blue Cross and Blue Shield of Missouri, Blue Cross and Blue Shield of Kansas City, Caring for Montanans, Inc. d/b/a Blue Cross and Blue Shield of Montana, Inc., Blue Cross and Blue Shield of Nebraska, Inc., Anthem Blue Cross and Blue Shield of Nevada, Anthem Health Plans of New Hampshire, Inc., d/b/a Anthem Blue Cross and Blue Shield of New Hampshire, Horizon Healthcare Services, Inc., d/b/a Horizon Blue Cross and Blue Shield of New Jersey, Blue Cross and Blue Shield of New Mexico Insurance Company, Empire HealthChoice Assurance, Inc. d/b/a Empire BlueCross BlueShield, Excellus Health Plan, Inc. d/b/a Excellus BlueCross

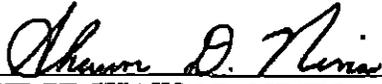
BlueShield, Blue Cross and Blue Shield of North Carolina, Noridian Mutual Insurance Company d/b/a Blue Cross and Blue Shield of North Dakota, Community Insurance Company d/b/a Anthem Blue Cross and Blue Shield of Ohio, Blue Cross and Blue Shield of Oklahoma, Capital Blue Cross, Independence Health Group, Inc., Triple-S Salud, Inc., Blue Cross & Blue Shield of Rhode Island, BlueCross BlueShield of South Carolina, Inc., BlueCross BlueShield of Tennessee, Inc., Blue Cross and Blue Shield of Texas, Blue Cross and Blue Shield of Vermont, Anthem Health Plans of Virginia, Inc. d/b/a Anthem Blue Cross and Blue Shield of Virginia, Inc., Regence BlueShield, Blue Cross Blue Shield of Wisconsin d/b/a Anthem Blue Cross and Blue Shield of Wisconsin, and Blue Cross & Blue Shield of Wyoming, by counsel, have filed a Motion to Dismiss Defendant Medtest's Third-Party Complaint for Lack of Personal Jurisdiction, it is ORDERED pursuant to Rule 22 of the West Virginia Trial Court Rules as follows:

That movant will provide a proposed order (if not already done) and serve a copy upon all non-moving parties. Non-moving parties shall file written responses and proposed orders within 15 days of entry of this order and serve copies of the same on the moving party. The moving party shall thereafter have 10 days to file a rebuttal memorandum, if desired. Thereafter, the Court will rule upon the motion on the pleadings and record or schedule a hearing if the Court deems it necessary.

All original proposed orders and copies of motions and/or memoranda shall be sent directly to the Judge via Andrea.Chambers@courtswv.gov with a courtesy copy to Business.Court@courtswv.gov and Tessa.Bowers@courtswv.gov. Copies of the proposed orders and the original motions and memoranda shall be filed with the Clerk of the Circuit Court.

The Clerk shall enter the foregoing and forward attested copies hereof to all counsel, and to the Business Court Central Office at Business Court Division, 380 West South Street, Suite 2100, Martinsburg, West Virginia, 25401.

ENTERED this 16th day of September 2019.



JUDGE SHAWN D. NINES
JUDGE OF THE WEST VIRGINIA
BUSINESS COURT DIVISION