

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**

SADIE BENNETT and MELISSA)	
MANNINO, Individually and on Behalf of)	
All Others Similarly Situated,)	
<i>Plaintiffs,</i>)	
)	
v.)	Civil Action No. 19-cv-185-SDD-RLB
)	
LOUISIANA HEALTH SERVICE &)	
INDEMNITY COMPANY (doing business)	
as Blue Cross and Blue Shield of)	
Louisiana),)	
<i>Defendant.</i>)	

DEFENDANT’S MOTION FOR SUMMARY JUDGMENT

Pursuant to Federal Rule of Civil Procedure 56 and the orders of this Court, Defendant Louisiana Health Service & Indemnity Company, d/b/a Blue Cross and Blue Shield of Louisiana (“BCBSLA”), respectfully moves for summary judgment on all claims in the Amended Complaint (ECF 88).

As fully explained in the contemporaneously filed Memorandum in support of BCBSLA’s Motion for Summary Judgment and the Statement of Undisputed Material Facts, there are no genuine issues of material fact that necessitate a trial. Those undisputed facts, when applied to controlling Fifth Circuit law, demonstrate that BCBSLA is entitled to summary judgment on all claims in the Amended Complaint.

For all the reasons stated herein and in the contemporaneously filed supporting materials, BCBSLA is entitled to summary judgment on all claims in the Amended Complaint, and BCBSLA respectfully moves for such relief.

June 28, 2022

Respectfully submitted,

/s/ Anthony F. Shelley

Anthony F. Shelley (pro hac vice admission)
Adam P. Feinberg (pro hac vice admission)
Miller & Chevalier Chartered
900 Sixteenth St. NW
Washington, DC 20006
Telephone: (202) 626-5800
Facsimile: (202) 626-5801
ashelley@milchev.com
afeinberg@milchev.com

/s/ Richard A. Sherburne, Jr. (with permission)

Richard A. Sherburne, Jr. (LA Bar #02106)
Jessica W. Chapman (LA Bar #31097)
Douglas M. Chapoton (LA Bar #25616)
5525 Reitz Avenue
Post Office Box 98029
Baton Rouge, Louisiana 70898-9029
Telephone: (225) 298-1666
Facsimile: (225) 297-2760
Richard.Sherburne@bcbsla.com
Jessica.Chapman@bcbsla.com
Douglas.Chapoton@bcbsla.com

A. M. "Tony" Clayton (LA Bar #21191)
Clayton, Fruge & Ward
3741 La. Highway 1 South
Port Allen, LA 70767
Telephone: (225) 344-7000
Facsimile: (225) 383-7631
tclaytonlaw@aol.com

*Attorneys for Defendant Louisiana Health Service
& Indemnity Company, d/b/a Blue Cross and Blue
Shield of Louisiana*

CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of June, 2022, a copy of DEFENDANT'S MOTION FOR SUMMARY JUDGMENT was served via ECF on the following counsel of record:

Calvin Clifford Fayard , Jr. (LA Bar #5486)
D. Blayne Honeycutt (LA Bar #18264)
Hannah Honeycutt Calandro (LA Bar #37731)
FAYARD & HONEYCUTT
519 Florida Avenue, SW
Denham Springs, LA 70726
Telephone: (225) 664-0304
Facsimile: (225) 664-2010
calvin@fayardlaw.com
dbhoneycutt@fayardlaw.com
hannah@fayardlaw.com

Cathryn Caroline Fayard (LA Bar #30888)
FAYARD LAW FIRM LLC
1104 Sixth Street
New Orleans, LA 70115
Telephone: (917) 648-9713
caroline@fayardlegal.com

Robert A. Izard , Jr
Craig A. Raabe
Christopher M. Barrett
IZARD, KINDALL & RAABE, LLP
29 South Main Street, Suite 305
West Hartford, CT 06107
Telephone: (860) 493-6292
Facsimile (860) 493-6290
rizard@ikrlaw.com
craabe@ikrlaw.com
cbarrett@ikrlaw.com

Mathew P. Jasinski
William H. Narwold
MOTLEY RICE LLC
20 Church Street, 17th Floor
Hartford, CT 06103
Telephone: (860) 882-1681
Facsimile: (860) 882-1682
mjasinski@motleyrice.com
bnarwold@motleyrice.com

Attorneys for Plaintiffs Sadie Bennett and Melissa Mannino

/s/ Anthony F. Shelley
Anthony F. Shelley