

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

OSCAR INSURANCE COMPANY OF FLORIDA,
Plaintiff-Appellant,

v.

BLUE CROSS AND BLUE SHIELD OF FLORIDA, INC., ET AL.,
Defendants-Appellees.

Appeal from the United States District Court
for the Middle District of Florida
Case No. 6:18-cv-01944 (Byron, J.)

JOINT MOTION TO DISMISS APPEAL

TIMOTHY CONNER, ESQ.
HOLLAND & KNIGHT LLP
50 North Laura Street, Suite 3900
Jacksonville, FL 32202
(908) 663-6000

Counsel for Appellees

SETH P. WAXMAN
LEON B. GREENFIELD
CATHERINE M.A. CARROLL
KEVIN M. LAMB
DREW VAN DENOVER
WILMER CUTLER PICKERING
HALE AND DORR LLP
1875 Pennsylvania Ave., NW
Washington, DC 20006
(202) 663-6000

Counsel for Appellant

February 19, 2021

(additional counsel listed on signature page)

**CERTIFICATE OF INTERESTED PERSONS
AND CORPORATE DISCLOSURE STATEMENT**

Pursuant to Eleventh Circuit Rule 26.1-1, counsel for Appellant Oscar Insurance Company of Florida, and counsel for Appellees Blue Cross and Blue Shield of Florida, Inc., Health Options Inc., and Florida Health Care Plan, Inc., hereby certify that:

1. Plaintiff-Appellant Oscar Insurance Company of Florida is a wholly owned subsidiary of Mulberry Health Inc., which is not publicly traded. Other than as identified, Oscar Insurance Company of Florida has no parent corporation, and no publicly held corporation holds 10% or more of its stock.
2. Defendants-Appellees Blue Cross and Blue Shield of Florida, Inc., Health Options Inc. and Florida Health Care Plan, Inc. (collectively, “Appellees” or “Florida Blue”) are, directly or indirectly, wholly owned subsidiaries of GuideWell Mutual Holding Corporation, and no publicly held corporation owns 10% or more of any of Appellees’ stock.
3. The following persons and entities have an interest in the outcome of this case:

Bartlit Beck LLP

Blue Cross and Blue Shield of Florida, Inc.

Byron, Paul G.
Calkins, Stephen
Carroll, Catherine M.A.
Chang, Felix B.
Chesler, Evan R.
Citron, Eric F.
Conner, Timothy
Cravath, Swaine & Moore LLP
Davis, Joshua
DeMasi, Karin A.
Eckles, Paul M.
Epstein, Richard A.
Farmer, Susan Beth
First, Harry
Florida Health Care Plan, Inc.
Goldstein & Russel, P.C.
Greaney, Thomas
Greenfield, Leon B.
GuideWell Mutual Holding Corporation
Harr, Daniel E.
Harrington, Scott E.
Health Options Inc.

Heiden, Bowman J.

Hoffman, Jerome W.

Holland & Knight LLP

Hovenkamp, Herbert

Hurwitz, Justin

Kennedy, Lauren R.

Kidd, Embry J.

Kirkwood, John B.

Klick, Jonathan

Korn, Jeffrey B.

Kuhlmann, Patrick

Lamb, Kevin

Lambert, Thomas,

Lisagar, Matthew

Long, Sarah A.

Manne, Goffrey A.

McDonald Toole Wiggins, P.A.

McDonald, Francis M., Jr.

Meehan, Taylor A.R.

Menitove, Michael H.

Mulberry Health Inc.

Mungan, Murat C.

Murray, Michael F.

Negrette, Jeffrey J.

Oscar Insurance Company of Florida

Reinhart, Tara L.

Sagers, Christopher L.

Schindel, Rebecca J.

Skadden, Arps, Slate, Meagher & Flom LLP

St. Jeanos, Christopher J.

Sunshine, Steven C.

Van Denover, Drew

Varney, Christine A.

Waxman, Seth P.

Willkie Farr & Gallagher LLP

Wilmer Cutler Pickering Hale and Dorr LLP

Wright, Joshua D.

Wu, Timothy

Yun, John M.

No publicly traded company or corporation is known to have an interest in the outcome of this case or appeal.

JOINT MOTION TO DISMISS APPEAL

Pursuant to Federal Rule of Appellate Procedure 42(b), Appellant Oscar Insurance Company of Florida and Appellees Blue Cross and Blue Shield of Florida, Inc., Health Options Inc., and Florida Health Care Plan, Inc., jointly move this Court to dismiss this appeal with prejudice. The parties shall bear their own costs.

February 19, 2021

STEVEN C. SUNSHINE
TARA L. REINHART
SKADDEN, ARPS, SLATE,
MEAGHER & FLOM LLP
1440 New York Ave., NW
Washington, DC 20005
(202) 371-7000

MICHAEL H. MENITOVE
MATTHEW LISAGAR
SKADDEN, ARPS, SLATE,
MEAGHER & FLOM LLP
4 Times Square
New York, NY 10036
(212) 735-3000

Attorneys for Plaintiff-Appellant

/s/ Seth P. Waxman

SETH P. WAXMAN
LEON B. GREENFIELD
CATHERINE M.A. CARROLL
KEVIN M. LAMB
DREW VAN DENOVER
WILMER CUTLER PICKERING
HALE AND DORR LLP
1875 Pennsylvania Ave., NW
Washington, DC 20006
(202) 663-6000

FRANCIS M. McDONALD, JR.
SARAH A. LONG
McDONALD TOOLE WIGGINS, P.A.
111 N. Magnolia Ave., Ste. 1200
Orlando, FL 32801
(407) 246-1800

/s/ Timothy Conner

TIMOTHY CONNER, ESQ.
HOLLAND & KNIGHT LLP
50 North Laura Street, Ste. 3900
Jacksonville, FL 32202
(908) 663-6000

EVAN R. CHESLER
KARIN A. DEMASI
LAUREN R. KENNEDY
CRAVATH, SWAINE & MOORE LLP
Worldwide Plaza
825 Eighth Avenue
New York, NY 10019
(212) 474-1000

Attorneys for Defendants-Appellees

CERTIFICATE OF COMPLIANCE

Pursuant to Fed. R. App. P. 32(g), the undersigned hereby certifies that this motion complies with the type-volume limitation of Federal Rule of Appellate Procedure 27(d)(2)(A) because it contains 55 words, exclusive of the exempted portions of the motion as provided in Fed. R. App. P. 32(f) and 11th Cir. R. 32-4.

This motion complies with the typeface requirements of Federal Rule of Appellate Procedure 32(a)(5) and the type style requirements of Federal Rule of Appellate Procedure 32(a)(6) because it has been prepared in a proportionally spaced typeface using Microsoft Word for Office 365 in Times New Roman 14-point font.

/s/ Seth P. Waxman

SETH P. WAXMAN

February 19, 2021

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of February, 2021, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Eleventh Circuit using the appellate CM/ECF system. Counsel for all parties to the case are registered CM/ECF users and will be served by the appellate CM/ECF system.

Dated: February 19, 2021

/s/ Seth P. Waxman