

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

SAINT FRANCIS HOSPITAL AND MEDICAL
CENTER, INC.,

Case No. 22-cv-00050-SVN

Plaintiff,

v.

HARTFORD HEALTHCARE CORPORATION,
HARTFORD HOSPITAL, HARTFORD
HEALTHCARE MEDICAL GROUP, INC.,
INTEGRATED CARE PARTNERS, LLC,

Defendants.

July 8, 2024

JOINT REPORT ON DISCOVERY

Pursuant to this Court's Order dated December 5, 2023 [ECF No. 213], Plaintiff and Defendants (the "Parties") provide the following Joint Report regarding the status of discovery in the captioned matter:

I. PARTY DISCOVERY

1. *Interrogatories.* Parties have made extensive requests to each other for structured data and "sufficient to show" information. The Parties appear to have substantially complied with these requests, but each of the Parties have raised questions about the information produced by the other party. The Parties will continue to meet and confer in an effort to resolve any concerns amicably and without the need for motion practice. Plaintiff has submitted a draft Second Supplemental Response to certain of Defendants' Interrogatories, but has not submitted a final signed

response, pending the discussions by the Parties regarding transactions in this matter that Plaintiff will attempt to challenge and Defendants' objections thereto.

2. *Document Production.* The Parties have substantially complied with most of each other's document requests, though Defendants have taken the position that Plaintiff's Fourth Request for Production contains only requests which Defendants believe to be objectionable. The Parties will meet and confer regarding the remaining issues shortly, and will notify the Court if motion practice is necessary.
3. *Documents Withheld as Privileged.* The parties have been meeting and conferring regarding the privilege designations of certain documents. To date, the parties have been unable to fully resolve their differences. Motion practice may be necessary regarding the production of certain privileged documents.
4. *Documents Subject to Disputed Claw Back Requests.* Both Plaintiff and Defendants initially made requests to the other to "claw back" certain documents that they claim are privileged and were inadvertently produced by them. These issues have been resolved.
5. *Number and Identity of Physician Transactions Challenged by Plaintiff.* The Parties have not yet resolved their dispute as to the number and identity of physician transactions Plaintiff intends to challenge, whether the challenge to any of those transactions requires amendment of the Complaint, and whether leave of Court should be granted to do so. The Parties are continuing to meet and confer on this issue.

6. The Parties do not anticipate a need to seek the Court's intervention on any of these issues at this time, but will promptly inform the Court if they believe that such intervention is necessary.

II. THIRD PARTY DISCOVERY

There are a number of outstanding issues relating to third party discovery:

1. On November 3, 2022, Plaintiff served subpoenas on a number of managed care plans and Defendants also served subpoenas on such plans shortly thereafter. There are no current disputes with any of these plans with the exception of United. Plaintiff, Defendants, and United are negotiating the details of compliance with the subpoena.
2. Plaintiff has filed motions to compel document production by The Bristol Hospital, Inc. [ECF No. 216] and three related entities, all subsidiaries of Prospect Medical Holdings, Inc. (Prospect Waterbury, Inc., Prospect Rockville Hospital, Inc. and Prospect Manchester Hospital, Inc.) [ECF No. 218]. A dispute with The Bristol Hospital is currently before Magistrate Judge Richardson for decision. The dispute with Prospect has been resolved.
3. Plaintiff has received documents in response to subpoenas to a variety of physician groups. Plaintiff is still reviewing the documents, but it appears that compliance is complete.
4. Defendants have also continued to negotiate with Plaintiff's affiliate SoNE regarding outstanding issues with SoNE's productions and may need to file a motion to compel if these issues cannot be resolved via meet and confer discussions. The current deadline for filing a motion to compel against SoNE is July 31, 2024.

5. The Parties' disputes with Press Ganey have been resolved.

Dated: July 8, 2024

Respectfully submitted,

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