

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.

October 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. Plaintiff has submitted a draft Second Supplemental Response to certain of Defendants' Interrogatories, but has not submitted a final signed response. It will be doing so by no later than October 15, 2024.
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. Plaintiff intends to make a compromise proposal to Defendants on this issue very shortly. Defendants have also informed Plaintiff that Plaintiff's production of information about the physicians affiliated with Plaintiff's health system is missing what they believe to be important information; Plaintiff is investigating that issue and have asked the Defendants to conduct a reciprocal review. Defendants are also evaluating the necessity and appropriateness of serving additional document requests on Plaintiff based on supplemental initial disclosures served recently by Plaintiff on Defendants.

3. *Documents Withheld as Privileged.* The parties have been meeting and conferring regarding the privilege designations of certain documents. Plaintiff has identified one limited group of documents related to a third party deposition for which it intends to question privilege claims. The parties will meet and confer to determine whether they can resolve these issues.
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 whether any of Plaintiff's challenges to physician transactions require a motion for leave to amend the Complaint. 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. The pending Motion to Compel with regard to The Bristol Hospital has been resolved.
3. 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 October 15, 2024.
4. Defendants have served document subpoenas on a number of non-parties, including physician groups aligned with Plaintiff and SoNE. Defendants are negotiating the details of compliance with the subpoena.
5. The Parties' disputes with Press Ganey have been resolved.

Dated: October 8, 2024

Respectfully submitted,

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