

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS, HOUSTON DIVISION**

ELECTRICAL MEDICAL TRUST, *et al.*,

Plaintiffs,

v.

U.S. ANESTHESIA PARTNERS, INC., *et al.*,

Defendants.

Case No. 4:23-cv-04398

**JOINT STIPULATION WITHDRAWING DISCOVERY MOTIONS**

This joint stipulation is entered into by and among Defendants in the above-captioned action, U.S. Anesthesia Partners, Inc., U.S. Anesthesia Partners Holdings, Inc., and U.S. Anesthesia Partners of Texas, P.A. (together, “USAP”), and non-party Brown & Brown Insurance Services, Inc. (“Brown & Brown”). The parties submit this joint stipulation regarding pending motions relating to a subpoena served by USAP on Brown & Brown (the “Subpoena”). *See* ECF Nos. 183, 191, 200.

WHEREAS, on September 29, 2025, in connection with the above-captioned action, USAP served Brown & Brown with the Subpoena;

WHEREAS, on January 22, 2026, Brown & Brown moved to quash (or, alternatively, to modify) the Subpoena, and the Motion was fully briefed, *see* ECF Nos. 183, 190;

WHEREAS, on February 12, 2026, USAP cross-moved to compel compliance with the Subpoena, and the Motion was fully briefed, *see* ECF Nos. 191, 201;

WHEREAS, on March 3, 2026, the parties both moved for oral argument on the abovementioned motions, *see* ECF No. 200;

WHEREAS, the parties have met and conferred, and agree that USAP will withdraw the Subpoena without prejudice to its ability to reissue it in the future, and Brown & Brown will

withdraw the related Motion to Quash without prejudice to its ability to challenge any subpoenas served by Petitioner in the future;

WHEREFORE, subject to the approval of the Court, the parties hereby stipulate as follows:

1. The Subpoena is withdrawn without prejudice to USAP's ability to reissue it in the future;
2. The Motion to Quash filed at ECF No. 183 is withdrawn without prejudice to B&B's ability to challenge any subpoenas served by USAP in the future;
3. The Motion to Compel filed at ECF No. 191 is withdrawn as the underlying Subpoena is no longer at issue;
4. The Motion for Hearing filed at ECF No. 200 is mooted as the underlying motions are withdrawn.

IT IS SO STIPULATED.

DATED: March 9, 2026

/s/ Tessa Vorhaben

Tessa Vorhaben  
Texas State Bar No. 24147772  
Southern District No. 1139116  
1717 Main Street, Suite 3625  
Dallas, Texas 75201  
tvorhaben@hinshawlaw.com  
Telephone: 503-438-1566  
Facsimile: 312-704-3001  
ATTORNEY FOR NON-PARTY BROWN &  
BROWN INSURANCE SERVICES, INC.

/s/ Jack A. Simms, Jr.

Karl S. Stern (TX Bar No. 19175665)  
(Federal I.D. No. 04870)  
Julianne Jaquith (TX Bar No. 24134925)  
(Federal I.D. No. 3921126)  
Christopher D. Porter (TX Bar No. 24070437)  
(Federal I.D. No. 1052367)  
Melanie Guzman (TX Bar No. 24117175)  
(Federal I.D. No. 3745044)  
QUINN EMANUEL URQUHART & SULLIVAN, LLP  
700 Louisiana Street, Suite 3900  
Houston, Texas 77002  
Telephone: (713) 221-7000  
Fax: (713) 221-7100  
juliannejaquith@quinnemanuel.com  
karlstern@quinnemanuel.com

chrisporter@quinnemanuel.com  
melanieguzman@quinnemanuel.com

Jack A. Simms, Jr. (TX Bar No. 24100378)  
(Federal I.D. No. 598969)  
Quinn Emanuel Urquhart & Sullivan, LLP  
300 West 6th St, Suite 2010  
Austin, TX 78701  
Telephone: (737) 667 6100  
Fax: (737) 667 6110  
jacksimms@quinnemanuel.com

Alexander S. Allred (Utah Bar No. 17929)  
(*pro hac vice*)  
QUINN EMANUEL URQUHART & SULLIVAN, LLP  
2755 E. Cottonwood Parkway, Suite 520  
Salt Lake City, Utah 84121  
Telephone: (801) 515-7300  
Fax: (801) 515-7400  
alexallred@quinnemanuel.com

Geoffrey M. Klineberg (D.C. Bar No. 444503)  
(*pro hac vice*)  
Kenneth M. Fetterman (D.C. Bar No. 474220)  
(*pro hac vice*)  
Bradley E. Oppenheimer (D.C. Bar No.  
1025006)  
(*pro hac vice*)  
KELLOGG, HANSEN, TODD,  
FIGEL & FREDERICK, P.L.L.C.  
1615 M Street N.W., Suite 400  
Washington, D.C. 20036  
Tel: (202) 326-7900  
Fax: (202) 326-7999  
gklineberg@kellogghansen.com  
kfetterman@kellogghansen.com  
boppenheimer@kellogghansen.com

David J. Beck (TX Bar No. 00000070)  
(Federal I.D. No. 16605)  
Garrett S. Brawley (TX Bar No. 24095812)  
(Federal I.D. No. 3311277)  
BECK REDDEN LLP  
1221 McKinney Street, Suite 4500  
Houston, TX 77010

Tel: (713) 951-3700  
Fax: (713) 951-3720  
dbeck@beckredden.com  
gbrawley@beckredden.com

*Counsel for U.S. Anesthesia Partners*

**RULE 7 CERTIFICATE OF CONFERENCE**

I hereby certify that USAP shared this Stipulation with Brown & Brown via email on March 9, 2026. Brown & Brown confirmed through email that they joined in the Stipulation.

DATED: March 9, 2026

*/s/ Jack A. Simms, Jr.*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 9th day of March, 2026, I caused to be filed the foregoing memorandum with the Court through ECF filing, which caused a copy to be sent to all counsel of record.

*/s/ Jack A. Simms, Jr.*