

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ELECTRICAL MEDICAL TRUST and
PLUMBERS LOCAL UNION NO. 68
WELFARE FUND,

Plaintiffs,

v.

U.S. ANESTHESIA PARTNERS, INC.,
U.S. ANESTHESIA PARTNERS
HOLDINGS, INC., and U.S. ANESTHESIA
PARTNERS OF TEXAS, P.A.,

Defendants.

Civil Case No. 4:23-cv-04398

**JOINT STATUS REPORT REGARDING
DISCOVERY**

Hon. Alfred H. Bennett

Pursuant to the agreement in their previous joint status report (ECF No. 167), Plaintiffs Electrical Medical Trust and Plumbers Local Union No. 68 Welfare Fund (“Plaintiffs”) and Defendant U.S. Anesthesia Partners, Inc. (“USAP”) submit this joint status report to update the Court on the progress of discovery negotiations. The parties continue to work productively.

The parties do not request Court intervention on any issue at this time. Listed below are discovery issues that the parties continue to negotiate and may raise at a future date. The parties propose to file their next joint status report on November 27, 2025.

A. Fact Discovery Coordination

The parties have filed a stipulation and proposed order regarding the coordination of fact discovery with *Musharbash v. U.S. Anesthesia Partners, Inc.*, No. 4:25-cv-00116 (S.D. Tex.; Bennett, J.) (“Musharbash”).

B. Third-Party FTC Litigation Materials (In Progress)

The parties agreed to a process for notifying third parties that their materials from

Federal Trade Commission v. U.S. Anesthesia Partners, Inc., No. 4:23-cv-03560 (S.D. Tex.) (the “FTC Litigation”) will be produced in this action. Since the last status report, Plaintiffs have resolved the objections of all but two third parties. Plaintiffs will notify the Court if they are unable to resolve any objection.

C. Deposition Limits (In Progress)

The parties have been discussing limits to depositions taken in this case. The parties expect to resolve this issue with a deposition protocol they are negotiating with Musharbash.

D. USAP’s Productions, Search Terms, and Custodians (In Progress)

The parties have been discussing additional search terms that may be applied to some of USAP’s document custodians since March 25. Since the last status report, USAP has produced documents that hit on Plaintiffs’ names. Additionally, USAP has reproduced all deposition exhibits from the FTC Litigation. The parties have also been discussing the reproduction of deposition videos and expert reports from the FTC Litigation. The parties expect to resolve these topics in connection with Musharbash.

E. Plaintiffs’ Productions (In Progress)

Plaintiffs have continued producing custodial documents on a rolling basis. Additionally, Plaintiffs have produced additional non-custodial documents and expect to make another non-custodial production soon. Plaintiffs are confirming whether a recent data production from Blue Cross Blue Shield of Texas identifies Plumbers’ claims data within the FTC Litigation data reproductions. Finally, Plaintiffs expect to hear from UnitedHealthcare Group whether Plumbers’ claims data is contained within the FTC Litigation data reproductions.

Dated: October 28, 2025

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that the foregoing was duly served upon all Counsel of record via the Court's CM/ECF system on October 28, 2025.

By: /s/ Brendan P. Glackin