

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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The Estate of Gene B. Lokken, Glennette Kell,  
Darlene Buckner, Carol Clemens, Frank  
Chester Perry, The Estate of Jackie Martin,  
John J. Williams, as Trustee of the Miles and  
Carolyn Williams 1993 Family Trust, and  
William Hull, individually and on behalf of all  
others similarly situated,

Plaintiffs,

vs.

UNITEDHEALTH GROUP, INC., UNITED  
HEALTHCARE, INC., NAVIHEALTH,  
INC., and Does 1-50, inclusive,

Defendants.

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Civil File No. 23-cv-03514-JRT-DTS

**DECLARATION OF MICHELLE  
GRANT IN SUPPORT OF  
DEFENDANTS' MOTION TO  
DISMISS PLAINTIFFS' FIRST  
AMENDED CLASS ACTION  
COMPLAINT**

I, Michelle Grant, declare as follows:

1. I am a partner in the law firm of Dorsey & Whitney LLP and am one of the attorneys representing Defendants in the above-captioned matter. I submit this Declaration in support of Defendants' Memorandum of Law to Dismiss Plaintiffs' First Amended Class Action Complaint. This Declaration is based upon information and belief and upon my personal knowledge.

2. Attached hereto are true and correct copies of the following documents:

<b><u>Exhibit</u></b>	<b><u>Description</u></b>
<b>Exhibit 1</b>	Excerpts from Gene Lokken's 2022 Evidence of Coverage
<b>Exhibit 2</b>	Excerpts from Glennette Kell's 2023 Evidence of Coverage

<b><u>Exhibit</u></b>	<b><u>Description</u></b>
<b>Exhibit 3</b>	Excerpts from Darlene Buckner's 2023 Evidence of Coverage
<b>Exhibit 4</b>	Excerpts from Carol Clemens's 2023 Evidence of Coverage
<b>Exhibit 5</b>	Excerpts from Carol Clemens's 2024 Evidence of Coverage
<b>Exhibit 6</b>	Excerpts from Frank Chester Perry's 2023 Evidence of Coverage
<b>Exhibit 7</b>	Excerpts from Frank Chester Perry's 2024 Evidence of Coverage
<b>Exhibit 8</b>	Excerpts from Jackie Martin's 2023 Evidence of Coverage
<b>Exhibit 9</b>	Excerpts from Carolyn Williams's 2023 Evidence of Coverage
<b>Exhibit 10</b>	Excerpts from William Hull's 2023 Evidence of Coverage
<b>Exhibit 11</b>	<b>[FILED UNDER SEAL]</b> Notice of Denial of Medical Coverage dated July 24, 2023, for Plaintiff William Hull's Skilled Nursing Facility ("SNF") services
<b>Exhibit 12</b>	<b>[FILED UNDER SEAL]</b> Medical Director Appeal Determination dated November 18, 2023, for Darlene Buckner's pre-service request for SNF services
<b>Exhibit 13</b>	<b>[FILED UNDER SEAL]</b> Notice of Medicare Non-Coverage for Darlene Buckner dated November 28, 2023, providing notice that coverage for SNF services will end November 30, 2023
<b>Exhibit 14</b>	<b>[FILED UNDER SEAL]</b> Jackie Martin's QIO Initial Determination dated May 4, 2023
<b>Exhibit 15</b>	<b>[FILED UNDER SEAL]</b> Jackie Martin's QIO Initial Determination dated May 11, 2023
<b>Exhibit 16</b>	<b>[FILED UNDER SEAL]</b> Notice of Medicare Non-Coverage for Jackie Martin providing notice that coverage for SNF services will end May 18, 2023
<b>Exhibit 17</b>	<b>[FILED UNDER SEAL]</b> Carolyn Williams's QIO Initial Determination dated March 23, 2023

<b><u>Exhibit</u></b>	<b><u>Description</u></b>
<b>Exhibit 18</b>	<b>[FILED UNDER SEAL]</b> Notice of Medicare Non-Coverage for Carolyn Williams providing notice that coverage for SNF services will end April 3, 2023
<b>Exhibit 19</b>	<b>[FILED UNDER SEAL]</b> Carolyn Williams's QIO Initial Determination dated May 24, 2023
<b>Exhibit 20</b>	<b>[FILED UNDER SEAL]</b> Glenette Kell's QIO Initial Determination dated September 16, 2023
<b>Exhibit 21</b>	<b>[FILED UNDER SEAL]</b> Glenette Kell's QIO Initial Determination dated September 27, 2023
<b>Exhibit 22</b>	<b>[FILED UNDER SEAL]</b> Glenette Kell's QIO Initial Determination dated October 3, 2023
<b>Exhibit 23</b>	<b>[FILED UNDER SEAL]</b> Glenette Kell's QIO Initial Determination dated October 10, 2023
<b>Exhibit 24</b>	<b>[FILED UNDER SEAL]</b> Glenette Kell's QIO Reconsideration Determination dated October 24, 2023
<b>Exhibit 25</b>	<b>[FILED UNDER SEAL]</b> Carol Clemens's QIO Initial Determination dated December 29, 2023
<b>Exhibit 26</b>	<b>[FILED UNDER SEAL]</b> Carol Clemens's QIO Reconsideration Determination dated January 10, 2024
<b>Exhibit 27</b>	<b>[FILED UNDER SEAL]</b> Carol Clemens's QIO Initial Determination dated February 15, 2024
<b>Exhibit 28</b>	<b>[FILED UNDER SEAL]</b> Carol Clemens's QIO Reconsideration Determination dated February 24, 2024
<b>Exhibit 29</b>	<b>[FILED UNDER SEAL]</b> Frank Perry's QIO Initial Determination dated May 12, 2023
<b>Exhibit 30</b>	<b>[FILED UNDER SEAL]</b> Frank Perry's QIO Initial Determination dated May 18, 2023
<b>Exhibit 31</b>	<b>[FILED UNDER SEAL]</b> Frank Perry's QIO Reconsideration Determination dated May 29, 2023

<b><u>Exhibit</u></b>	<b><u>Description</u></b>
<b>Exhibit 32</b>	<b>[FILED UNDER SEAL]</b> Frank Perry’s QIO Initial Determination dated December 20, 2023
<b>Exhibit 33</b>	<b>[FILED UNDER SEAL]</b> Gene Lokken’s QIO Initial Determination dated July 20, 2022
<b>Exhibit 34</b>	<b>[FILED UNDER SEAL]</b> Gene Lokken’s QIO Reconsideration Determination dated August 1, 2022
<b>Exhibit 35</b>	<b>[FILED UNDER SEAL]</b> Gene Lokken’s ALJ Decision dated February 13, 2023
<b>Exhibit 36</b>	<b>[FILED UNDER SEAL]</b> Gene Lokken’s Medicare Appeals Council Decision dated August 28, 2023
<b>Exhibit 37</b>	<b>[FILED UNDER SEAL]</b> Gene Lokken’s ALJ Decision dated November 16, 2023
<b>Exhibit 38</b>	<b>[FILED UNDER SEAL]</b> Gene Lokken’s appeal to the Medicare Appeals Council Appeal dated January 4, 2023 [ <i>sic</i> ]. The year 2023 appears to be a typo; the date should read “January 4, 2024.”

I declare under penalty of perjury that the foregoing is true and correct.

Dated: May 20, 2024

By /s/ Michelle Grant  
Michelle Grant