

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
LOUISVILLE DIVISION

ESTATE OF JOANNE BARROWS, SUSAN
HAGOOD, SHARON MERKLEY, LORRAINE
KOHL, and DOLLY BALANI, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

HUMANA INC.,

Defendant.

Civil Action No. 3:23-cv-00654-RGJ-CHL

JOINT STATUS REPORT

Plaintiffs the Estate of Joanne Barrows, Susan Hagood, Sharon Merkley, Lorraine Kohl, and Dolly Balani (together, “Plaintiffs”) and Defendant Humana Inc. (“Defendant”) (collectively, the “Parties”) respectfully submit the following joint status report pursuant to the Court’s October 10, 2025, Scheduling Order (ECF No. 91) and May 20, 2026, Order (ECF No. 126). This joint status report reflects case developments since the last joint status report, filed on July 10, 2026 (ECF No. 130).

1. Disclosures

- a. On August 21, 2026, Defendant served Supplemental Rule 26 Disclosures on Plaintiffs.

2. Written Discovery.

- a. On August 21, 2026, Defendant served its Second Set of Interrogatories, seeking information relating to the scope of and Plaintiffs’ methodology for determining membership in the class(es) they seek to certify.

3. Productions.

- a. On July 21, 2026, Plaintiffs provided Defendant with the documents produced to date by naviHealth in response to Plaintiffs' non-party subpoena.
- b. Defendant made its fifteenth production on July 23, 2026, its sixteenth production on August 14, 2026, and its seventeenth and eighteenth productions on August 21, 2026. These productions included materials responsive to Plaintiffs' Second Requests for Production (served April 30, 2026), including materials relating to Humana's bids to CMS for its Medicare Advantage health plans, as well as certain structured authorization data Humana received from naviHealth pursuant to the Parties' business agreements.
- c. On August 14, 2026 and August 21, 2026, Plaintiffs produced documents responsive to Defendant's First Requests for Production, specifically the responsive emails for Plaintiffs Dolly Balani and Susan Hagood.
- d. The Parties have agreed to a mutual exchange of privilege logs to take place one week after the completion of all productions of emails responsive to the Parties' requests for production to date. The Parties expect this mutual exchange of privilege logs will occur on August 28, 2026.

4. Depositions.

- a. On July 10, 2026, following up on prior May 2026 correspondence, Defendant sent a letter to Plaintiffs regarding the Parties' respective plans for depositions. In its letter, Defendant also identified the individuals it intends to depose, requested counsels' and the deponents' availabilities, and requested that Plaintiffs do the same. Plaintiffs provided an initial response on July 22, 2026,

indicating that Plaintiffs were in the process of developing their deposition plan, including identifying potential party and non-party deposition targets.

- b. On August 3, 2026, the Parties met and conferred regarding deposition-related issues and requests raised in the Parties' above-referenced correspondence, as well as Defendant's June 22, 2026 Responses and Objections to Plaintiffs' 30(b)(6) notice (served May 22, 2026).
- c. On August 4, 2026, Defendant sent a letter responding to questions and issues raised during the August 3, 2026 meet and confer. The Parties continue to discuss the issues raised in Defendant's August 4, 2026 letter.
- d. On August 14, 2026, Plaintiffs served Rule 30(b)(1) Notices of Deposition for Todd DeYoung, Lisa Stephens, and Devin Prather, who are current Humana employees. These depositions will be scheduled at mutually acceptable dates, times and locations.

5. Proposed Agreed Order regarding Defendant's Amended Answer and Affirmative Defenses.

- a. On August 18, 2026, Defendant filed a Proposed Agreed Order Regarding Defendant's Amended Answer and Affirmative Defenses to Plaintiffs' Amended Complaint (ECF No. 136).
- b. The Parties await the Court's decision on the Proposed Agreed Order.

The Parties are presently on track to meet the deadlines set forth in the Court's Order on the Parties' Joint Motion to Amend the Scheduling Order, entered on July 17, 2026 (ECF No. 135).

Dated: August 24, 2026

Respectfully submitted,

/s/ Simeon A. Morbey (with Permission)

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