

United States Court of Appeals
for the Fifth Circuit

No. 24-20051

United States Court of Appeals
Fifth Circuit

FILED

June 12, 2025

Lyle W. Cayce
Clerk

GUARDIAN FLIGHT, L.L.C.,

Plaintiff—Appellee,

versus

MEDICAL EVALUATORS OF TEXAS ASO, L.L.C.,

Defendant—Appellant,

CONSOLIDATED WITH

No. 24-20204

GUARDIAN FLIGHT, L.L.C.; REACH AIR MEDICAL SERVICES,
L.L.C.; CALSTAR AIR MEDICAL SERVICES, L.L.C.,

Plaintiffs—Appellants,

versus

AETNA HEALTH, INCORPORATED; KAISER FOUNDATION
HEALTH PLAN, INCORPORATED,

Defendants—Appellees.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:22-CV-3805
USDC No. 4:22-CV-3805
USDC No. 4:22-CV-3979

Before SMITH, CLEMENT, and DUNCAN, *Circuit Judges*.

J U D G M E N T

This cause was considered on the record on appeal and was argued by counsel.

IT IS ORDERED and ADJUDGED we AFFIRM the district court's order dismissing Guardian Flight, CALSTAR, and REACH's claims against Aetna and Kaiser.

We REVERSE the district court's order denying MET's motion to dismiss, and REMAND with the direction that Guardian Flight, CALSTAR, and REACH's claims against MET be dismissed.

IT IS FURTHER ORDERED that Plaintiff-Appellee Guardian Flight, L.L.C. and Plaintiff-Appellants Guardian Flight, L.L.C.; Reach Air Medical Services, L.L.C.; Calstar Air Medical Services, L.L.C. pay to Defendant-Appellees Medical Evaluators of Texas ASO, L.L.C.; Aetna Health, Incorporated; Kaiser Foundation Health Plan, Incorporated the costs on appeal to be taxed by the Clerk of this Court.

The judgment or mandate of this court shall issue 7 days after the time to file a petition for rehearing expires, or 7 days after entry of an order denying a timely petition for panel rehearing, petition for rehearing en banc, or motion for stay of mandate, whichever is later. See Fed. R. App. P. 41(b). The court may shorten or extend the time by order. See 5th Cir. R. 41 I.O.P.