

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

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<p>AETNA HEALTH INC., et al.,</p> <p style="text-align: center;"><i>Plaintiffs,</i></p> <p>v.</p> <p>RADIOLOGY PARTNERS, INC., et al.,</p> <p style="text-align: center;"><i>Defendants.</i></p>	<p>CASE NO.: 3:24-CV-01343-BJD-LLL</p>
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**DECLARATION OF CHRISTOPHER C. JEW IN SUPPORT OF  
DEFENDANTS’ MOTION TO COMPEL ARBITRATION AND MOTION  
TO STAY AND REQUEST FOR JUDICIAL NOTICE**

I, Christopher C. Jew, Esq., hereby declare as follows:

1. I am an attorney at King & Spalding LLP, counsel for Defendants Mori, Bean, and Brooks, Inc. (“MBB”) and Radiology Partners, Inc. (“RP”) in the above-captioned action. I am duly admitted to practice law and appear in the courts of the State of California and the Central District of California and have been admitted *pro hac vice* to appear before this Court. Unless otherwise stated, the following facts are within my personal knowledge.

2. I submit this Declaration in support of Defendants’ Motion to Compel Arbitration and Motion to Stay (the “Motion”) and Defendants’ Request for Judicial Notice (“RJN”).

3. In addition to the above-captioned action, King & Spalding LLP was counsel for Singleton Associates, P.A. (“Singleton”) in the arbitration with the American Arbitration Association (“AAA”), titled *Singleton Associates, P.A., v. Aetna U.S. Healthcare, Inc. et al. v. Radiology Partners, Inc., et al.*, AAA Case No. 01-21-0004-0763 (the “Arbitration”). I was one of the attorneys active on the matter in the Arbitration.

4. King & Spalding LLP was also counsel for Singleton in the ensuing federal case seeking confirmation of certain interim orders resulting from the Arbitration, titled *Aetna Life Insurance Company v. Singleton Associates, P.A.*, Case No. 4:24-cv-02910, filed in the United States District Court for the Southern District of Texas. I was one of the attorneys active on the matter filed in the Southern District of Texas.

#### **Procedural History of Litigation Between the Parties and Their Affiliates**

5. On May 28, 2021, Singleton initiated the Arbitration against Aetna U.S. Healthcare, Inc. and its Affiliates, as that term is defined in the relevant Physician Group Agreement, for underpayments.

6. When Aetna Life Insurance Company and Aetna Health, Inc.<sup>1</sup> appeared in lieu of and as Affiliates of Aetna U.S. Healthcare, Inc. and filed their Answering

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<sup>1</sup> The “Aetna Health, Inc.” in the Arbitration was a Texas corporation and a different entity than the “Aetna Health, Inc.” that is a Florida corporation and a plaintiff in this matter.

Statement and Counterclaims, they were represented by the same law firm representing the Aetna entities that are the plaintiffs in this instant lawsuit, Robbins Kaplan, including Paul Weller, whose LinkedIn reflects that he previously was Aetna's former in-house head of provider litigation.

7. In January 2022, Aetna filed a motion for leave from the Arbitrator to have its First Amended Counterclaims in the Arbitration be third-party claims against Radiology Partners, Inc. ("RP"), as well as two other RP affiliates, Radiology Partners Management, LLC, and Radiology Partners Matrix, PLLC (collectively, the "RP Entities"). Aetna argued that the direct-benefits estoppel doctrine both estoppel and agency provided for the arbitration clause of the relevant Physician Group Agreement to be applicable to the RP Entities, even though all were non-signatories to the contract in the Arbitration.

8. Thereafter, the Arbitration was bifurcated into multiple phases and involved extensive discovery, motion practice, and briefing. The Phase One hearing took place between January 9-28, 2023 and the Phase Two hearing took place between March 4-8, and March 16, 2024. A Phase Three hearing was scheduled for October 14-19, 2024, however, on September 19, 2020, the parties informed the federal court where Aetna had filed for confirmation of certain interim orders from the Texas Arbitration that the parties had settled.

**Authentication of Documents Attached to the Request for Judicial Notice**  
**(“RJN”)**

**Public Court Records**

9. Attached to the RJN as **Exhibit 1** is a true and correct copy of Aetna Life Insurance Company’s Application To Confirm Award And For Entry Of Final Judgment filed on August 5, 2024 in *Aetna Life Insurance Co. v. Singleton Associates, P.A.*; United States District Court for the Southern District of Texas; Case No. 4:24-cv-02910, which is publicly available through PACER [ECF No. 1].

10. Attached to the RJN as **Exhibit 2** is a true and correct copy of Singleton Associates, P.A.’s Motion to Dismiss Aetna’s Application to Confirm Award and for Entry of Final Judgment, without exhibits, filed on September 12, 2024, in *Aetna Life Insurance Co. v. Singleton Associates, P.A.*; United States District Court for the Southern District of Texas; Case No. 4:24-cv-02910, which is publicly available through PACER [ECF No. 9].

11. Attached to the RJN as **Exhibit 3** is a true and correct copy of the redacted version of Interim (Phase One) Order, entered on May 24, 2023 in the Arbitration, that was filed on September 12, 2024 as Exhibit 6 to Defendant Singleton P.A.’s Motion To Dismiss Aetna’s Application to Confirm Award and for Entry of Final Judgment in *Aetna Life Insurance Co. v. Singleton Associates, P.A.*; United States District Court for the Southern District of Texas; Case No. 4:24-cv-02910, which is publicly available through PACER [ECF No. 9-6].

12. Attached to the RJN as **Exhibit 4** is a true and correct copy of the redacted version of Interim (Phase Two) Order, entered on July 3, 2024 in the Arbitration, that was filed on September 12, 2024 as Exhibit 9 to Defendant Singleton P.A.'s Motion To Dismiss Aetna's Application to Confirm Award and for Entry of Final Judgment in *Aetna Life Insurance Co. v. Singleton Associates, P.A.*; United States District Court for the Southern District of Texas; Case No. 4:24-cv-02910, which is publicly available through PACER [ECF No. 9-9].

13. Attached to the RJN as **Exhibit 5** is a true and correct copy of excerpts from Singleton Associates, P.A.'s Arbitration Demand, filed May 28, 2021, that was filed on September 12, 2024 as Exhibit 2 to Defendant Singleton P.A.'s Motion To Dismiss Aetna's Application to Confirm Award and for Entry of Final Judgment in *Aetna Life Insurance Co. v. Singleton Associates, P.A.*; United States District Court for the Southern District of Texas; Case No. 4:24-cv-02910, which is publicly available through PACER [ECF No. 9-2].

#### **Court-Related Arbitral Records**

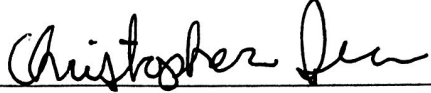
14. Attached to the RJN as **Exhibit 6** is a true and correct copy of Aetna's First Amended Counterclaim, filed January 27, 2022 in the Arbitration by an Aetna affiliate and Aetna Life Insurance Company, one of the Aetna plaintiffs in this instant lawsuit. This document is referenced at p. 5, paragraph 12 of Exhibit 1 to the RJN, which is Aetna Life Insurance Company's Application To Confirm Award And

For Entry Of Final Judgment filed on August 5, 2024 in *Aetna Life Insurance Co. v. Singleton Associates, P.A.*; United States District Court for the Southern District of Texas; Case No. 4:24-cv-02910, which is publicly available through PACER [ECF No. 1]. Further, excerpts from Aetna's First Amended Counterclaim were filed on September 12, 2024 as Exhibit 4 to Defendant Singleton P.A.'s Motion to Dismiss Aetna's Application to Confirm Award and for Entry of Final Judgment in in *Aetna Life Insurance Co. v. Singleton Associates, P.A.*; United States District Court for the Southern District of Texas; Case No. 4:24-cv-02910, which is publicly available [ECF No. 9-4].

15. Attached to the RJN as **Exhibit 7** is a true and correct copy of Aetna's Motion for Leave to File Third-Party Claims Against Radiology Partners Affiliates filed January 27, 2022 in the Arbitration. The Motion for Leave is referenced at p. 5, paragraph 12 of Exhibit 1 to the RJN, which is Aetna Life Insurance Company's Application To Confirm Award And For Entry Of Final Judgment filed on August 5, 2024 in *Aetna Life Insurance Co. v. Singleton Associates, P.A.*; United States District Court for the Southern District of Texas; Case No. 4:24-cv-02910, which is publicly available through PACER [ECF No. 1].

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 25th day of February, 2025.

  
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Christopher C. Jew