

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT**

ESTUARY TRANSIT DISTRICT AND
TEAMSTERS 671 HEALTH SERVICE &
INSURANCE PLAN, on behalf of themselves
and all others similarly situated,

Plaintiffs,

v.

HARTFORD HEALTHCARE CORPORATION,
HARTFORD HOSPITAL, HARTFORD
HEALTHCARE MEDICAL GROUP, INC.,
INTEGRATED CARE PARTNERS, LLC,

Defendants.

Case No.: 3:24-cv-01051 (MPS)

JOINT STATUS REPORT

Pursuant to the Court's November 1, 2024 Order, Plaintiffs ("Direct Purchaser Plaintiffs" or "DPPs") and Defendants ("Hartford HealthCare") (collectively, the "Parties") respectfully submit this Joint Status Report to describe "what discovery has been done and [to] advis[e] the Court of any anticipated problems." ECF No. 91.

A. Status of the Case

1. Status of Discovery

Discovery is in its early stages, and the Parties are working diligently to complete discovery within the time limits prescribed by the Court. *See* ECF No. 90 (establishing the October 26, 2025 fact discovery cutoff). On October 4, 2024, Plaintiffs served an initial set of 75 requests for production of documents to Hartford HealthCare, and Hartford HealthCare timely responded and

objected to those requests on November 4, 2024. Hartford HealthCare has produced over one million documents in response to those requests to date (all of which were previously or simultaneously produced to the Indirect Purchaser Plaintiffs (“IPPs”) in the related state action). DPPs have begun the process of reviewing these documents. Hartford HealthCare plans to serve its document requests on DPPs shortly.

In addition, the Parties are continuing to negotiate but have not yet reached agreement concerning several topics, including:

- the additional search terms and custodians that DPPs request that Hartford HealthCare use for a proposed supplemental production to DPPs; and
- the relevant time period that should apply to DPPs’ discovery requests.

With respect to the latter, DPPs maintain that discovery extending back to January 1, 2008, is warranted because it is relevant to proving both Hartford HealthCare’s market and/or monopoly power and the anticompetitive effects of certain contractual provisions that DPPs challenge. While Hartford HealthCare believes that DPPs’ requests for documents from up to 16 years ago are unduly burdensome and seek information from a time period that is neither relevant nor proportional to the needs of the case, Hartford HealthCare has agreed in principle in the state court IPP case to use the state court’s order of January 3, 2024 as the *de facto* time period, subject to limitations on custodians and resolution of other objections, and plans to produce the resulting documents in this case.

DPPs have expressed concern with the pace of the discussions regarding the relevant time period for discovery and the possibility that any delays could impede the Parties’ ability to keep to the case schedule. DPPs claim that Hartford HealthCare, for example, took nearly three weeks to respond to DPPs’ original search term and custodian proposal. DPPs claim that, as another

example, Hartford HealthCare has not responded to DPPs' inquiries regarding the relevant time period of its outstanding RFPs, which DPPs find particularly concerning given that Hartford HealthCare has been negotiating with IPPs regarding effectively the same issues for more than five months, when IPPs were required to file a motion to compel. Hartford HealthCare notes that this topic is in the process of being extensively negotiated between Hartford HealthCare and IPPs in the state case and that Hartford HealthCare invites DPPs to join that discussion and will provide a response specifically to DPPs shortly. Hartford HealthCare objects to any suggestions of delay given, among other things, that (1) the parties agreed to coordinate discovery with the IPP action, and DPPs should thus be coordinating with IPPs regarding their negotiations with Hartford HealthCare, (2) coordination with the IPP case has expedited the production of over 1 million documents that DPPs now have to review, and (3) it takes time to investigate the burden of proposed discovery, particularly materials from so long ago.

The Parties are continuing to discuss the above issues and will inform the Court if there is a need for this Court's intervention.

DPPs recently served third-party subpoenas to the six largest health plans in Connecticut and are waiting for those entities to respond.

2. Pending Motions

There are currently no pending motions in this action.

Respectfully Submitted,

/s/ Jonathan M. Shapiro

/s/ Eric J. Stock

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