

UNITED STATES DISTRICT COURT
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 (SFR)

PARTIES' JOINT STATUS REPORT

Pursuant to the Court's November 1, 2024 Order, Plaintiffs ("Direct Purchaser Plaintiffs" or "DPPs" or "Plaintiffs") and Defendants ("Hartford HealthCare" or "HHC") (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

The Parties continue to work diligently to complete discovery within the time limits prescribed by the Court. *See* ECF No. 90 (setting October 26, 2025 cutoff for fact discovery). Since the last joint status report, *see* ECF No. 110, DPPs have produced nearly 35,000 documents and will continue making rolling productions in response to HHC's first set of document requests. The Parties are also meeting and conferring regarding DPPs' fourth set of document requests, to which HHC timely responded and objected on July 2, 2025, HHC's second set of interrogatories, to which

DPPs timely responded and objected on July 16, 2025, and certain of HHC's other discovery requests to DPPs. DPPs also requested that HHC supplement its responses to DPPs' first set of interrogatories now that HHC has substantially completed its document productions responsive to DPPs' first set of document requests.

DPPs continue to meet and confer with numerous of the 13 provider groups subpoenaed in December 2024 and January 2025, and of the additional six provider groups subpoenaed on April 29, 2025. Those subpoenas seek documents related to, among other things, whether and/or the extent to which the provider groups are affiliated with Defendant Integrated Care Partners, LLC. DPPs have received responsive documents from several of these providers and are continuing to negotiate custodial and non-custodial productions with others. In addition, as explained further below, DPPs began serving deposition notices on several of these entities—intending to serve more as they believe reasonably necessary.

The Parties are also continuing their months' long negotiations with several large health insurers that were served with document subpoenas. Since the commencement of DPPs' and HHC's negotiations with seven such health insurers—subpoenaed in November 2024 and January 2025 for claims data and documents related to, among other things, their respective negotiations and ongoing relationships with HHC—only one has made a complete claims data production that DPPs consider adequately responsive to their requests. Another two have produced claims data samples while four have yet to produce any claims data as the details of the data requests are still being negotiated. Additionally, DPPs and HHC are actively negotiating the scope of custodial and/or non-custodial document productions from six of these seven entities. DPPs believe that the claims data from health insurers will likely be important inputs for economic analyses by their experts and that the custodial and/non-custodial document productions from these entities are

necessary for DPPs to evaluate the impacts of HHC's alleged anticompetitive activity over time and to understand how direct purchasers understood the structure of the markets. DPPs therefore consider this non-party discovery critical to their ability to prosecute their claims in this action, including deposing key personnel at HHC as well as personnel from these third-party health insurers. DPPs will continue to work diligently to secure complete productions from each of these entities and will make every effort to resolve outstanding issues without the need for Court intervention. This approach has thus far led to prolonged but productive discussions with these non-parties.

The Parties also have continued their months' long negotiations with the Connecticut Office of Health Strategy ("OHS"), which maintains Connecticut's All-Payer Claims Database, to obtain publicly maintained claims data to be used for their respective experts' analyses. Since March 2025, DPPs have engaged in productive discussions with OHS regarding the scope of their data request, particularly the years for which DPPs' experts would require claims data. After months of engagement through counsel for the indirect purchaser plaintiffs in the state court *Brown* action, OHS requested that DPPs issue a formal subpoena to the agency, which DPPs served in early June 2025. After three months of discussions about the scope of DPPs' data request, on June 17, 2025, OHS informed DPPs that it did not have the resources to provide DPPs with the complete claims dataset that DPPs originally requested. After conferring with their expert teams, DPPs swiftly confirmed with OHS on June 30, 2025 that they intended to proceed with the more limited data production OHS represented it could provide, and since then have been diligently following up with OHS to ensure it timely completes its Data Use Agreements, which are a prerequisite to OHS completing the data production. On July 21, 2025, OHS estimated that it will

take another three to four weeks from the time it completes DPPs' Data Use Agreements to produce the requested data.

On February 14, 2025, DPPs and the indirect purchaser plaintiffs in the *Brown* action filed a Motion to Intervene in *Saint Francis Hospital & Medical Center v. Hartford HealthCare Corporation*, No. 3:22-cv-00050 (SVN) (D. Conn.) (the "*Saint Francis*" case), another antitrust case against HHC that reached a mutually acceptable resolution on January 3, 2025. The Motion requested a temporary stay of a provision in the *Saint Francis* Protective Order that provides for the return and/or destruction of relevant discovery material that Plaintiffs have requested in this case. *Saint Francis*, ECF No. 307. On July 29, 2025, Plaintiffs filed a status report related to that Motion, informing the court that they have received documents pursuant to discovery requests and are no longer requesting an extension of the stay of the *Saint Francis* parties' obligations under the Protective Order.

Finally, since the last joint status report was filed, DPPs began serving deposition notices. DPPs have thus far noticed 12 party depositions of and five non-party depositions of ICP-affiliated entities and are negotiating with HHC and these non-parties to secure deposition dates. DPPs anticipate noticing a substantial number of additional party and non-party depositions, some of which likely will require obtaining the document discovery from the large health insurers discussed above before proceeding.

2. Pending Motions

There are no pending motions at this time.

Dated: July 29, 2025

Respectfully Submitted,

/s/ Jonathan M. Shapiro

/s/ Patrick M. Fahey

Jonathan M. Shapiro (ct24075)
AETON LAW PARTNERS LLP
311 Centerpoint Drive
Middletown, Connecticut 06475
Telephone: (860) 724-2160
jms@aetonlaw.com

Patrick M. Fahey (ct13862)
Karen T. Staib (ct21119)
SHIPMAN & GOODWIN LLP
One Constitution Plaza
Hartford, CT 06103
Tel.: 860-251-5000
Fax: 860-251-5319
Email: pfahey@goodwin.com
Email: kstaib@goodwin.com

Matthew W. Ruan
Douglas A. Millen
Robert J. Wozniak
Michael E. Moskovitz
Samantha Gupta
FREED KANNER LONDON & MILLEN
LLC
100 Tri-State International, Suite 128
Lincolnshire, IL 60069
Telephone: (224) 632-4500
mruan@fkmlaw.com
dmillen@fkmlaw.com
mmoskovitz@fkmlaw.com
sgupta@fkmlaw.com

Stephen Weissman
Jamie E. France
GIBSON, DUNN & CRUTCHER LLP
1050 Connecticut Avenue, N.W.
Washington, DC 20036-5306
(202) 955-8690
sweissman@gibsondunn.com
jfrance@gibsondunn.com

Michael B. Eisenkraft
Christopher J. Bateman
Silvie R. Saltzman
COHEN MILSTEIN SELLERS & TOLL
PLLC
88 Pine Street, Suite 1400
New York, NY 10005
Telephone: (212) 838-7797
Facsimile: (212) 838-7745
meisenkraft@cohenmilstein.com
cbateman@cohenmilstein.com
ssaltzman@cohenmilstein.com

Erick J. Stock
Joshua J. Obear
GIBSON, DUNN & CRUTCHER LLP
200 Park Avenue
New York, NY 10166-0193
(212)351-4000
estock@gibsondunn.com
jobear@gibsondunn.com

Brent W. Johnson
Nathaniel D. Regenold
COHEN MILSTEIN SELLERS & TOLL
PLLC
1100 New York Ave. NW, Fifth Floor

Thomas J. Dillickrath
Leo D. Caseria
Joseph Antel
Rachel Guy
SHEPPARD MULLIN RICHTER &
HAMPTON LLP
2099 Pennsylvania Avenue, N.W.
Washington, DC 20006-6801
(202) 747-1900
tdillickrath@sheppardmullin.com
lcaseria@sheppardmullin.com

Washington, DC 20005
Telephone: (202) 408-4600
Facsimile: (202) 408-4699
bjohnson@cohenmilstein.com
nregenold@cohenmilstein.com

Daniel J. Walker
Hope Brinn
BERGER MONTAGUE PC
1001 G Street, NW Suite 400 East
Washington, DC 20001
Telephone: (202) 559-9745
dwalker@bm.net
hbrinn@bm.net

Eric L. Cramer
BERGER MONTAGUE PC
1818 Market Street, Suite 3600
Philadelphia, PA 19103
Telephone: (215) 875-3000
ecramer@bm.net

Frank R. Schirripa
Scott Jacobsen
HACH ROSE SCHIRRIPA &
CHEVERIE LLP
112 Madison Avenue, 10th Floor
New York, NY 10016
Telephone: (212) 213-8311
fschirripa@hrsclaw.com
SJacobsen@hrsclaw.com

*Attorneys for Plaintiffs Estuary Transit
District and Teamsters 671 Health Service
& Insurance Plan and the Proposed Class*

jantel@sheppardmullin.com
rguy@sheppardmullin.com

Joy O. Siu
SHEPPARD MULLIN RICHTER &
HAMPTON LLP
4 Embarcadero Center, 17th Floor
San Francisco, CA 94111-4158
(415) 774-3108
jsiu@sheppardmullin.com

*Attorneys for Defendants Hartford Healthcare
Corporation, Hartford Hospital, Hartford
HealthCare Medical Group, Inc., and
Integrated Care Partners, LLC*