

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA

**BLUE CROSS BLUE SHIELD
HEALTHCARE PLAN OF
GEORGIA, INC.**

Plaintiff

v.

**HALOMD, INC.; HOSPITALIST
MEDICINE PHYSICIANS OF
GEORGIA - TCG, PC; and
SOUND PHYSICIANS
EMERGENCY MEDICINE OF
GEORGIA, PC**

Defendants

CASE NO. 1:25-CV-02919-TWT

**SOUND PHYSICIANS' RESPONSE TO BLUE CROSS'S
MOTION FOR LEAVE TO FILE A SURREPLY**

1. Sound Physicians¹ does not oppose Blue Cross's motion for leave to file a surreply (Docket No. 72) to address the Eleventh Circuit's recent ruling in *Reach Air Med. Servs. LLC v. Kaiser Found. Health Plan Inc.*, No. 24-10135 (11th Cir. Nov. 19, 2025) ("RAMS"). The RAMS ruling is dispositive controlling precedent that is directly on point, but was issued after Blue Cross filed its opposition brief. Sound Physicians therefore does not oppose the Court granting Blue Cross an opportunity to address the RAMS ruling.

¹ This document refers to defendants Sound Physicians Emergency Medicine of Georgia, P.C. and Hospitalist Medicine Physicians of Georgia - TCG, PC together as "Sound Physicians," and to plaintiff Blue Cross Blue Shield Healthcare Plan of Georgia, Inc. as "Blue Cross."

2. But Blue Cross's proposed surreply (Docket No. 72-1) goes far beyond this:

- First, it uses *RAMS* as an excuse to retread other arguments that have been fully briefed by both sides. *See* Docket No. 72-1 at 1-3, 6-9. Blue Cross's proposed surreply appears to constitute an effort to get the last word on issues unrelated to *RAMS*, even though Sound Physicians is the movant. Sound Physicians respectfully submits that any appropriate surreply would be limited to addressing *RAMS*.
- Second, the proposed surreply includes a material misrepresentation of Sound Physicians' position on an important issue. Citing Sound Physicians' reply brief, Blue Cross's proposed surreply states that "Defendants concede that the NSA does not contemplate IDREs deciding IDR eligibility." Docket No. 72-1 at 7. This is incorrect. Sound Physicians does not concede this important point. Rather, Sound Physicians *expressly* argues and shows the opposite in both its opening and reply briefs. *See* Docket No. 70 at 13, 16; Docket No. 45-1 at 18, 19, 34.

3. Sound Physicians notes that Blue Cross did not confer with the other parties before filing its motion for leave. Had Blue Cross done so, Sound Physicians would have provided Blue Cross with the positions set forth above, perhaps avoiding unnecessary motion practice.

Accordingly, Sound Physicians respectfully submits that it does not oppose the Court granting Blue Cross leave to file a surreply, as long as the surreply is limited to addressing the *RAMS* decision only.

Dated: December 8, 2025

Respectfully submitted,

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CERTIFICATE OF COMPLIANCE WITH LOCAL RULES 5.1 AND 7.1

Pursuant to Local Rules 5.1 and 7.1(D) of the United States District Court for the Northern District of Georgia, the undersigned certifies that this document has been prepared in accordance with the font and point size requirements set forth in Local Rule 5.1(C). Specifically, this document has been prepared in 13-point Book Antiqua font on Microsoft Word for Windows (v. 2509).

December 8, 2025

/s/ Connor S. Romm