

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

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

Plaintiff,

v.

HALOMD, LLC *et al.*,

Defendants.

CIVIL ACTION No.
1:25-CV-02919-TWT

**CONSENT MOTION FOR EXTENSION OF PAGE LIMITS AND TIME
TO FILE DEFENDANTS' REPLY BRIEFS IN SUPPORT OF
MOTIONS TO DISMISS**

Defendants HaloMD, LLC and Sound Physicians Emergency Medicine of Georgia, PC, by and through the undersigned counsel, respectfully file this Consent Motion for Extension of Page Limits and Time to File Defendants' Reply Briefs in Support of Motions to Dismiss. For the reasons stated below—including that Defendant HaloMD has engaged new, substitute counsel in this case who are still in the process of entering their appearances and submitting *pro hac vice* applications—Defendants need additional time and additional pages to adequately prepare and file their reply briefs.

1. On August 29, 2025, Plaintiff filed its Amended Complaint in this case. (Doc. 43). Spanning nearly eighty pages, the Amended Complaint asserts eleven

different claims against three different defendants¹ respecting a statutory health care insurance billing arbitration process under the No Surprises Act, 42 U.S.C. § 300gg-111. The Amended Complaint raises a wide array of statutory and common law issues, including issues under the Federal Arbitration Act, 9 U.S.C. § 1 *et seq.*; the Employee Retirement Income Security Act of 1974 (“ERISA”), 29 U.S.C. § 1001 *et seq.*; the federal mail and wire fraud statutes, 18 U.S.C. §§ 1341, 1343; the Racketeering Influenced and Corrupt Organizations Act (“RICO”), 18 U.S.C. §§ 1961 *et seq.*; the Georgia RICO Act, O.C.G.A. § 16-14-1 *et seq.*; and the Georgia Uniform Deceptive Trade Practices Act, O.C.G.A. § 10-1-372.

2. Defendants filed Motions to Dismiss the Amended Complaint on September 19, 2025. (Docs. 45, 47).

3. By order dated September 11, 2025, and with Defendants’ consent, the Court extended the 14-day deadline applicable to the filing of Plaintiff’s briefs in opposition to Defendants’ Motions to Dismiss set forth in the Court’s local rules, LR 7.1(B), NDGa., by 21 days, but did not adjust the deadline for Defendants to file reply briefs, applying the standard 14-day deadline set forth in the Court’s local rules, LR 7.1(C), NDGa. (Doc. 44). As such, Defendants’ reply briefs are currently due on or before November 7, 2025.

¹ The third defendant, Hospitalist Medicine Physicians of Georgia – TCG, PC, was dismissed from the case on August 29, 2025. (Doc. 42).

4. By order dated October 24, 2025, and with Defendants' consent, the Court granted Plaintiff's Motion for Enlargement of Page Limitations (Doc. 49), permitting Plaintiff to file a consolidated, 75-page brief in opposition to Defendants' Motions to Dismiss, which Plaintiff filed the same day. (Doc. 50).

5. Since the filing of Plaintiff's October 24, 2025 opposition brief, Defendant HaloMD has engaged substitute lead and local counsel to defend it in this case—Nixon Peabody LLP and Chaiken Ghali LLP. HaloMD's new counsel is diligently reviewing the case file received from prior counsel, analyzing the wide array of issues raised in the parties' existing briefing, and preparing HaloMD's reply brief. Nevertheless, additional time is needed to permit HaloMD's new counsel adequate time to assess the issues, confer with their client, and prepare and file HaloMD's reply brief. The undersigned local counsel entered their appearances in this matter on October 30, 2025, and are in the process of assisting lead counsel with their *pro hac vice* applications to the Northern District of Georgia.

6. In addition, given the wide array of issues raised in the parties' existing briefing and Plaintiff's lengthy and detailed opposition brief, Defendants have assessed that additional pages beyond the 15-page limit applicable to reply briefs set forth in the Court's local rules, LR 7.1(D), NDGa., will be necessary in order for Defendants to adequately address the arguments and issues raised in Plaintiff's opposition brief. Defendant Sound Physicians Emergency Medicine of Georgia, PC

is also in need of additional time to analyze the issues and prepare its own reply brief, and a uniform deadline applicable to both reply briefs, placing both motions on the same calendar for resolution, will help facilitate an orderly and efficient resolution of the issues by the Court.

7. Accordingly, Defendants jointly request permission to each file a brief that includes an additional 10 pages beyond the limit set forth in the Court's local rules, for a total of 25 pages for each Defendant's reply brief, and to extend the deadline to file Defendants' reply briefs by 14 days, from November 7, 2025 to November 21, 2025.

8. Defendants' counsel have conferred with lead counsel for Plaintiff, Jason Mayer of Crowell & Moring LLP, and Mr. Mayer has confirmed that Plaintiff does not object to the relief requested in this Motion.

CONCLUSION

Accordingly, for the forgoing reasons, Defendants request that the Court grant this Motion, and enter the proposed order submitted contemporaneously herewith.

Respectfully submitted, this 30th day of October, 2025.

/s/ Matthew L. Knowles

Laura McLane (Mass. #644573)

admitted pro hac vice

Matthew L. Knowles (Mass. #678935)

admitted pro hac vice

Megan Corrigan (Mass. #710869)

admitted pro hac vice

/s/ Kamal Ghali

Kamal Ghali

Georgia Bar No. 805055

kghali@chaikenghali.com

Matthew A. Josephson

Georgia Bar No. 367216

mjosephson@chaikenghali.com

McDERMOTT WILL & SCHULTE LLP
200 Clarendon Street, 58th Floor
Boston, MA 02116
Telephone: 617.535.4000
Email: lmclane@mwe.com
mknowles@mwe.com
mcorrigan@mwe.com

A. Shane Nichols
Georgia Bar No. 542654
McDERMOTT WILL & SCHULTE LLP
1180 Peachtree Street, NE, Suite 3350
Atlanta, GA 30309
Telephone: 404.260.8557
Email: shanenichols@mwe.com

*Counsel for Sound Physicians
Emergency Medicine of
Georgia, PC*

Michael C. Duffey
Georgia Bar No. 710738
mduffey@chaikenghali.com
CHAIKEN GHALI LLP
One Atlantic Center
1201 W. Peachtree Street, Suite 2300
Atlanta, GA 30309
(404) 795-5005 (Telephone)
(404) 581-5005 (Facsimile)

Counsel for Defendant HaloMD, LLC

CERTIFICATE OF SERVICE

I hereby certify that on this day, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, which will automatically serve all counsel of record.

This 30th day of October, 2025.

/s/ Michael C. Duffey
Michael C. Duffey

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

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

Plaintiff,

v.

HALOMD, LLC *et al.*,

Defendants.

CIVIL ACTION No.
1:25-CV-02919-TWT

[PROPOSED] ORDER

This matter is before the Court on Defendants' Consent Motion for Extension of Page Limits and Time to File Defendants' Reply Briefs in Support of Motions to Dismiss. (Doc. __).

Given that Plaintiff does not oppose the requested relief, and for good cause shown, Defendants' Motion is GRANTED.

IT IS HEREBY ORDERED THAT:

1. Defendants' reply briefs in support of their Motions to Dismiss shall be filed on or before November 21, 2025.

2. Each Defendant's reply brief may include an additional 10 pages beyond the limit set forth in the Court's local rules, for a total of 25 pages per brief.

SO ORDERED, this ____ day of _____, 2025.

THOMAS W. THRASH, JR.
UNITED STATES DISTRICT JUDGE