

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA)	
<i>ex rel.</i> ANDREW SHEA,)	
)	
Plaintiff,)	
)	Civil Action No. 21-cv-11777-DJC
v.)	Hon. Denise J. Casper
)	
eHEALTH, INC., et al.,)	
)	
Defendants.)	

**ANSWER OF DEFENDANTS CVS HEALTH CORPORATION,
AETNA LIFE INSURANCE COMPANY, AND AETNA INC. TO
THE GOVERNMENT’S COMPLAINT IN PARTIAL INTERVENTION**

Defendants CVS Health Corporation, Aetna Inc., and Aetna Life Insurance Company (together, “Defendants”), by undersigned counsel, answer Plaintiff United States of America (the “Government”)’s Complaint in Partial Intervention (the “Complaint”). Specifically, in response to the paragraphs included in the Complaint, Defendants admit, deny, or otherwise respond to the allegations as set forth below. All allegations are denied unless expressly admitted, and an admission to a portion of an allegation does not constitute an admission, either express or implied, to the remainder of the allegation.

PRELIMINARY STATEMENT¹

The Complaint’s “Preliminary Statement” is an argument, not a series of allegations to which a response is required. To the extent a response is required, Defendants deny the Preliminary Statement as it pertains to them and lack sufficient knowledge and information to admit or deny the Preliminary Statement as it pertains to any other defendant and, on that basis, deny the Preliminary Statement.

I. JURISDICTION AND VENUE²

1. Defendants admit that the Court has subject matter jurisdiction over the False Claims Act claims brought in this case. The allegations of Paragraph 1 concerning the Government’s common-law claim relate to a claim the Court dismissed with prejudice, ECF No. 147, but, to the extent a response is required, Defendants deny those allegations. Defendants deny any remaining allegations in Paragraph 1.

¹ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

² Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

2. As to the allegations in the first and second sentences of Paragraph 2, Defendants admit the Court may exercise personal jurisdiction over them as to the False Claims Act claims brought in this case. To the extent the allegations in the first and second sentences of Paragraph 2 relate to the Government's common-law claim, that claim was dismissed with prejudice, ECF No. 147, and, to the extent a response is required, Defendants deny the allegations in the first and second sentences of Paragraph 2 as they relate to that claim. As to the allegations in the third sentence of Paragraph 2, Aetna Life Insurance Company admits that, between 2016 and 2021 it enrolled certain Massachusetts residents in Medicare Advantage plans, and otherwise denies the allegations in the third sentence of Paragraph 2. Aetna Inc. and CVS Health Corporation deny the allegations in the third sentence of Paragraph 2 insofar as they make allegations concerning Aetna Inc. or CVS Health Corporation. Insofar as the allegations in Paragraph 2 relate to any other defendant, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 2.

3. Defendants admit venue is proper in this District. Defendants deny any remaining allegations in Paragraph 3.

II. PARTIES³

A. Plaintiff and Relator⁴

4. Defendants admit that the Plaintiff in this case is the United States of America, that CMS administers Medicare, and that CMS is a part of the Department of Health and Human Services. Defendants deny any remaining allegations in Paragraph 4.

5. Defendants lack sufficient knowledge and information to admit or deny the allegations of the first sentence of Paragraph 5 and, on that basis, deny them. As to the allegations in the second sentence of Paragraph 5, Defendants admit that Relator purports to bring a False Claims Act action on behalf of himself and the United States, but deny the characterization and validity of the action. Defendants deny any remaining allegations in Paragraph 5.

B. Defendants⁵

6. Defendants admit that Aetna Inc. is incorporated under the laws of Pennsylvania and maintains offices in Hartford, Connecticut. Defendants further admit that Aetna Inc. is a subsidiary of CVS Pharmacy, Inc., which is a subsidiary of CVS Health Corporation. Defendants deny any remaining allegations in Paragraph 6.

7. Defendants admit the allegations in the first and second sentences of Paragraph 7. As for the allegations in the third sentence of Paragraph 7, Defendants admit that Aetna Life

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⁴ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

⁵ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

Insurance Company offers health insurance plans, including certain Medicare Advantage plans that include “Aetna” or “Coventry” in their names. Defendants deny the allegations in the third sentence of Paragraph 7 insofar as they relate to Aetna Inc. or unidentified “affiliates and subsidiaries.” Defendants deny any remaining allegations in Paragraph 7.

8. Defendants admit the allegations of Paragraph 8.

9. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 9 and, on that basis, deny them.

10. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 10 and, on that basis, deny them.

11. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 11 and, on that basis, deny them.

12. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 12 and, on that basis, deny them.

13. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 13 and, on that basis, deny them.

14. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 14 and, on that basis, deny them.

III. LEGAL FRAMEWORK AND INDUSTRY BACKGROUND⁶

A. The False Claims Act⁷

15. As for the allegations in the first sentence of Paragraph 15, Defendants admit that the False Claims Act was enacted in 1863, but deny the remaining allegations in the first sentence of Paragraph 15. As for the allegations in the second sentence of Paragraph 15, Defendants admit that the quotation appears in the cited legal source, which contains additional language and context that Paragraph 15 omits. Defendants deny the characterizations of those quotations in Paragraph 15 and otherwise deny any remaining allegations in Paragraph 15.

16. Defendants admit that the quoted phrases in Paragraph 16, without the bracketed modifications, appear in the cited legal source, which contains additional language and context that Paragraph 16 omits. Defendants deny the characterizations of those quotations in Paragraph 16 and otherwise deny any remaining allegations in Paragraph 16.

17. Defendants admit that the quoted phrases in Paragraph 17 appear in the cited legal source, which contains additional language and context that Paragraph 17 omits. Defendants deny the characterizations of those quotations in Paragraph 17 and otherwise deny any remaining allegations in Paragraph 17.

18. Defendants admit that the quoted phrases in Paragraph 18 appear in the cited legal source, which contains additional language and context that Paragraph 18 omits. Defendants deny the characterizations of those quotations in Paragraph 18 and otherwise deny any remaining allegations in Paragraph 18.

⁶ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

⁷ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

19. Defendants admit that the quoted phrases in Paragraph 19 appear in the cited legal source, which contains additional language and context that Paragraph 19 omits. Defendants deny the characterizations of those quotations in Paragraph 19 and otherwise deny any remaining allegations in Paragraph 19.

20. Defendants deny the allegations in the first sentence of Paragraph 20. As for the allegations in the second sentence of Paragraph 20, Defendants admit that the cited provision of the Federal Register describes a penalty range of between \$13,946 and \$27,894 for the stated time period, but deny any remaining allegations in the second sentence of Paragraph 20.

B. The Anti-Kickback Statute⁸

21. Defendants admit that the Anti-Kickback Statute was enacted in 1972, but deny any remaining allegations in Paragraph 21.

22. Defendants admit that the Anti-Kickback Statute was amended in 1977, 1987, and 2010, but deny any remaining allegations in Paragraph 22.

23. Defendants admit that the quoted phrase in Paragraph 23 appears in the cited legal source, which contains additional language and context that Paragraph 23 omits. Defendants deny the characterizations of those quotations in Paragraph 23 and otherwise deny any remaining allegations in Paragraph 23.

24. Defendants admit that the quoted phrase in Paragraph 24 appears in the cited legal source, which contains additional language and context that Paragraph 24 omits. Defendants deny the characterizations of those quotations in Paragraph 24 and otherwise deny any remaining allegations in Paragraph 24.

⁸ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

25. Defendants admit that the quoted phrase in Paragraph 25 appears in the cited legal source, which contains additional language and context that Paragraph 25 omits. Defendants deny the characterizations of those quotations in Paragraph 25 and otherwise deny any remaining allegations in Paragraph 25.

26. Defendants deny the allegations in Paragraph 26.

27. Defendants deny the allegations in Paragraph 27.

28. Defendants admit that the quoted phrase in Paragraph 28 appears in the cited legal source, which contains additional language and context that Paragraph 28 omits. Defendants deny the characterizations of those quotations in Paragraph 28 and otherwise deny any remaining allegations in Paragraph 28.

29. Defendants deny the allegations of Paragraph 29.

30. Defendants deny the allegations of Paragraph 30.

31. Defendants deny the allegations of Paragraph 31.

32. Defendants deny the allegations of Paragraph 32.

33. Defendants deny the allegations of Paragraph 33.

C. Medicare⁹

34. Defendants admit the allegations of Paragraph 34.

35. Defendants admit the allegations of Paragraph 35.

36. Defendants admit the allegations of Paragraph 36.

⁹ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

1. Overview of Medicare Advantage¹⁰

37. Defendants admit the allegations in the first sentence of Paragraph 37. As for the allegations in the second sentence of Paragraph 37, Defendants admit the quoted phrase appears in the cited legal source, which contains additional language and context that Paragraph 37 omits. Defendants deny the characterizations of those quotations in the second sentence of Paragraph 37 and otherwise deny any remaining allegations in Paragraph 37.

38. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 38 and, on that basis, deny them.

39. Defendants admit that Medicare Advantage Organizations operate Medicare Advantage plans, and that Medicare Advantage Organizations enter into contracts with CMS. Defendants deny any remaining allegations in Paragraph 39.

40. Defendants admit that Aetna Life Insurance Company is a Medicare Advantage Organization that offers multiple Medicare Advantage plans, but deny the allegations of Paragraph 40 insofar as they relate to Aetna Inc. or CVS Health Corporation. Defendants further lack sufficient knowledge and information to admit or deny the allegations of Paragraph 40 insofar as they relate to Humana and Anthem and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 40.

41. Defendants admit that health care providers serving a beneficiary of a Medicare Advantage plan can submit information to the beneficiary's Medicare Advantage Organization, and that the Medicare Advantage Organization can pay the provider as appropriate under the terms of the health plan. Defendants deny any remaining allegations in Paragraph 41.

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42. Defendants admit that CMS generally pays Medicare Advantage Organizations using capitated payments, per beneficiary and per month. Defendants deny any remaining allegations in Paragraph 42.

43. Defendants admit that the capitated payments made by CMS to a Medicare Advantage Organization do not depend on the particular services provided to a particular beneficiary, and instead are determined by comparing administratively set rates established under the Medicare Advantage statute to each beneficiary's risk score. Defendants deny any remaining allegations in Paragraph 43.

44. As for the allegations in the first sentence of Paragraph 44, Defendants admit that CMS uses a risk adjustment payment system to determine the total capitated payments to a Medicare Advantage Organization based on the expected health risk of each beneficiary. Defendants deny the allegations in the second sentence of Paragraph 44. Defendants deny any remaining allegations in Paragraph 44.

45. Defendants admit the allegations in Paragraph 45.

46. Defendants deny the allegations in Paragraph 46.

47. Defendants admit that Medicare Advantage Organizations report certain information related to Medical Loss Ratios to CMS. Defendants deny any remaining allegations in Paragraph 47.

48. As to the allegations in the first sentence of Paragraph 48, Defendants admit that a Medicare Advantage plan's provider network, drug coverage, other benefits, and premiums may change from year to year, but do not necessarily do so. Defendants admit the allegations in the second and third sentences of Paragraph 48. Defendants deny any remaining allegations in the first sentence of Paragraph 48.

49. Defendants admit that a Medicare Advantage beneficiary may disenroll from their Medicare Advantage plan during the Annual Enrollment Period or during an Open Enrollment period. Defendants deny any remaining allegations in Paragraph 49.

50. As to the allegations in the first sentence of Paragraph 50, Defendants admit that a beneficiary could complain to CMS. Defendants deny any remaining allegations in the first sentence of Paragraph 50. Defendants lack sufficient knowledge and information to admit or deny the allegations of the second and fourth sentences of Paragraph 50 and, on that basis, deny them. As for the allegations of the third sentence of Paragraph 50, Defendants admit that the cited regulation provides different time periods for resolution of different types of complaints. Defendants deny any remaining allegations in the third sentence of Paragraph 50.

51. Defendants admit that complaints to CMS about a particular Medicare Advantage plan could affect the plan's Star Rating, which effect would depend on a number of other factors. Defendants further admit that a Medicare Advantage plan's Star rating could affect how it is paid, again an effect that would depend on a number of other factors. Defendants deny any remaining allegations in Paragraph 51.

2. Broker Operations Within Medicare Advantage¹¹

52. Defendants admit that Medicare beneficiaries may use a broker to enroll in a Medicare Advantage plan and that Medicare beneficiaries may have more than one Medicare Advantage plan available to them. Defendants lack sufficient knowledge and information to admit or deny the remaining allegations of Paragraph 52 and, on that basis, deny them.

¹¹ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

53. Defendants admit that Aetna Life Insurance Company used some brokers who sold only Aetna Life Insurance Company Medicare Advantage Plans, and used some brokers who also sold other Medicare Advantage plans. Defendants deny the remaining allegations in Paragraph 53.

54. Defendants admit that brokers engage in various types of marketing activities. Defendants lack sufficient knowledge and information to admit or deny the remaining allegations of Paragraph 54 and, on that basis, deny them.

55. Defendants admit that brokers engaged in marketing that was specific to certain Medicare Advantage Organizations and other marketing that was not specific to any particular Medicare Advantage Organization. Defendants deny any remaining allegations in Paragraph 55.

56. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 56 and, on that basis, deny them.

57. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 57 and, on that basis, deny them.

58. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 58 and, on that basis, deny them.

59. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 59 and, on that basis, deny them.

60. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 60 and, on that basis, deny them.

61. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 61 and, on that basis, deny them.

62. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 62 and, on that basis, deny them.

63. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 63 and, on that basis, deny them.

64. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 64 and, on that basis, deny them.

65. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 65 and, on that basis, deny them.

66. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 66 and, on that basis, deny them.

67. Defendants deny the allegations of Paragraph 67.

68. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 68 and, on that basis, deny them.

69. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 69 and, on that basis, deny them.

70. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 70 and, on that basis, deny them.

71. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 71 and, on that basis, deny them.

72. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 72 and, on that basis, deny them.

73. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 73 and, on that basis, deny them.

74. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 74 and, on that basis, deny them.

3. Statutes and Regulations Related to Broker Compensation and Payments to Brokers¹²

75. Defendants admit that the quoted phrases in Paragraph 75 appear in the cited legal source, which contains additional language and context that Paragraph 75 omits. Defendants deny the characterizations of those quotations in Paragraph 75 and otherwise deny any remaining allegations in Paragraph 75.

76. As to the allegations in the first sentence of Paragraph 76, Defendants admit that Medicare Advantage Organizations are expressly authorized by law to provide various forms of compensation to brokers. Defendants deny any remaining allegations in the first sentence of Paragraph 76. As to the allegations in the second sentence of Paragraph 76, Defendants admit that Congress authorized such broker compensation payments and required CMS to issue regulations concerning such payments, and that the quoted phrases in the second sentence of Paragraph 76 appear in the cited legal source, which contains additional language and context that Paragraph 76 omits. Defendants deny any remaining allegations in the second sentence of Paragraph 76

77. As to the allegations in the first sentence of Paragraph 77, Defendants admit that CMS issued regulations concerning Medicare Advantage Organization compensation of brokers and that these regulations included express authorization of compensation for the enrollment of particular beneficiaries, among other types of authorized payments. Defendants deny any remaining allegations in the first sentence of Paragraph 77. As to the allegations in the second sentence of Paragraph 77, Defendants admit that the quoted phrases in the second sentence of

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Paragraph 77 appear in the cited legal source, which contains additional language and context that Paragraph 77 omits. Defendants deny any characterization of those sources in the second sentence of Paragraph 77 and deny any remaining allegations in the second sentence of Paragraph 77. As to the allegations in the third sentence of Paragraph 77, Defendants admit that the cited figures appear in 42 C.F.R. § 422.2274(a) (2021), which contains additional language and context that Paragraph 77 omits. Defendants deny any characterization of those sources in the third sentence of Paragraph 77 and deny any remaining allegations in the third sentence of Paragraph 77.

78. Defendants deny the allegations in Paragraph 78.

79. Defendants admit the allegations in Paragraph 79.

80. Defendants admit that the quoted phrase, without the bracketed modifications and with additional words omitted by the ellipsis, appears in the cited source, which contains additional language and context that Paragraph 80 omits. Defendants deny any characterization of those sources in Paragraph 80 and deny any remaining allegations in Paragraph 80.

81. Defendants admit that the quoted phrase, without the bracketed modifications, appears in the version of the cited source effective March 2021, which contains additional language and context that Paragraph 81 omits. Defendants deny any characterization of those sources in Paragraph 81 and deny any remaining allegations in Paragraph 81.

82. Defendants deny the allegations in Paragraph 82.

83. Defendants admit that the quoted phrases, without the bracketed modifications, appear in the cited sources, which contain additional language and context that Paragraph 83 omits. Defendants deny any characterization of those sources in Paragraph 83 and deny any remaining allegations in Paragraph 83.

4. Statutes and Regulations Related to Discrimination Against Disabled Beneficiaries¹³

84. Defendants admit that the quoted phrases, without the bracketed modifications, appear in the cited sources, which contain additional language and context that Paragraph 84 omits. Defendants deny any characterization of those sources in Paragraph 84 and deny any remaining allegations in Paragraph 84.

85. Defendants admit that the quoted phrases, with additional words omitted by the ellipsis, appear in the cited sources, which contain additional language and context that Paragraph 85 omits. Defendants deny any characterization of those sources in Paragraph 85 and deny any remaining allegations in Paragraph 85.

86. Defendants admit that the quoted phrases appear in the cited sources, which contain additional language and context that Paragraph 86 omits. Defendants deny any characterization of those sources in Paragraph 86 and deny any remaining allegations in Paragraph 86.

87. Defendants admit that leukemia, cerebral palsy, Down syndrome, muscular dystrophy, spinal cord injuries resulting in paralysis, cystic fibrosis, and Huntington's disease are some conditions that may qualify as a disability under the cited source, but deny that is an exhaustive list of such conditions. Defendants deny any remaining allegations in Paragraph 87.

88. Defendants admit that Paragraph 88 accurately paraphrases portions of the cited legal sources, which contain additional language and context that Paragraph 88 omits. Defendants deny any characterization of those sources in Paragraph 88 and deny any remaining allegations in Paragraph 88.

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89. Defendants admit that the quoted phrases, without the bracketed modifications, appear in the cited source, which contains additional language and context that Paragraph 89 omits. Defendants deny any characterization of that source in Paragraph 89 and deny any remaining allegations in Paragraph 89.

90. Defendants admit that the quoted phrases, with additional words omitted by the ellipsis, appear in the cited source, which contains additional language and context that Paragraph 90 omits. Defendants deny any characterization of that source in Paragraph 90 and deny any remaining allegations in Paragraph 90.

91. Defendants admit that the quoted phrases, without the bracketed modifications and with additional words omitted by the ellipses, appear in the cited source, which contains additional language and context that Paragraph 91 omits. Defendants deny any characterization of that source in Paragraph 91 and deny any remaining allegations in Paragraph 91.

5. Contractual and Claim Requirements for MAOs¹⁴

92. Defendants admit the allegations in the first sentence of Paragraph 92. As for the allegations in the second sentence of Paragraph 92, Aetna Life Insurance Company admits that it entered into agreements with CMS annually concerning its Medicare Advantage plans between 2016 and 2021. Defendants deny the allegations in the second sentence of Paragraph 92 insofar as they relate to Aetna Inc. and CVS Health Corporation. And Defendants lack sufficient knowledge and information to admit or deny the allegations of the second sentence of Paragraph 92 insofar as they relate to any other defendant and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 92.

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93. Defendants admit that the quoted phrase appears in the cited source, which contains additional language and context that Paragraph 93 omits. Defendants deny any characterization of that source in Paragraph 93 and deny any remaining allegations in Paragraph 93.

94. Defendants admit that the quoted phrases, with additional words omitted by the ellipsis, appear in the cited sources, which contain additional language and context that Paragraph 94 omits. Defendants deny any characterization of those sources in Paragraph 94 and deny any remaining allegations in Paragraph 94.

95. Defendants admit that the quoted phrases appear in the cited source, which contains additional language and context that Paragraph 95 omits. Defendants deny any characterization of that source in Paragraph 95 and deny any remaining allegations in Paragraph 95.

96. Defendants admit that the quoted phrases appear in the cited sources, which contain additional language and context that Paragraph 96 omits. Defendants deny any characterization of that source in Paragraph 96 and deny any remaining allegations in Paragraph 96.

97. Defendants deny the allegations of Paragraph 97.

IV. KICKBACKS AND DISCRIMINATION BY THE DEFENDANT INSURERS AND DEFENDANT BROKERS¹⁵

98. Defendants deny the allegations of Paragraph 98 insofar as they relate to Defendants. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 98 insofar as they relate to any other defendant and, on that basis, deny them.

99. Defendants deny the allegations of Paragraph 99 insofar as they relate to Defendants. Defendants lack sufficient knowledge and information to admit or deny the

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allegations of Paragraph 99 insofar as they relate to any other defendant and, on that basis, deny them.

100. Defendants deny the allegations of Paragraph 100 insofar as they relate to Defendants. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 100 insofar as they relate to any other defendant and, on that basis, deny them.

101. Defendants deny the allegations of Paragraph 101 insofar as they relate to Defendants. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 101 insofar as they relate to any other defendant and, on that basis, deny them.

102. Defendants deny the allegations of Paragraph 102 insofar as they relate to Defendants. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 102 insofar as they relate to any other defendant and, on that basis, deny them.

A. Humana¹⁶

1. Humana Paid Kickbacks to the Defendant Brokers to Steer Medicare Beneficiaries to Humana Plans and Limit Enrollments in Competitors' Plans¹⁷

103. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 103 and, on that basis, deny them.

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¹⁷ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

104. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 104 and, on that basis, deny them.

105. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 105 and, on that basis, deny them.

106. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 106 and, on that basis, deny them.

107. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 107 and, on that basis, deny them.

108. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 108 and, on that basis, deny them.

109. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 109 and, on that basis, deny them.

110. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 110 and, on that basis, deny them.

111. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 111 and, on that basis, deny them.

112. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 112 and, on that basis, deny them.

113. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 113 and, on that basis, deny them.

2. Humana's Kickbacks to GoHealth¹⁸

114. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 114 and, on that basis, deny them.

115. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 115 and, on that basis, deny them.

116. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 116 and, on that basis, deny them.

117. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 117 and, on that basis, deny them.

118. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 118 and, on that basis, deny them.

119. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 119 and, on that basis, deny them.

120. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 120 and, on that basis, deny them.

121. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 121 and, on that basis, deny them.

122. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 122 and, on that basis, deny them.

123. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 123 and, on that basis, deny them.

¹⁸ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

124. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 124 and, on that basis, deny them.

125. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 125 and, on that basis, deny them.

126. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 126 and, on that basis, deny them.

127. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 127 and, on that basis, deny them.

128. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 128 and, on that basis, deny them.

129. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 129 and, on that basis, deny them.

130. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 130 and, on that basis, deny them.

131. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 131 and, on that basis, deny them.

132. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 132 and, on that basis, deny them.

133. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 133 and, on that basis, deny them.

134. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 134 and, on that basis, deny them.

135. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 135 and, on that basis, deny them.

136. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 136 and, on that basis, deny them.

137. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 137 and, on that basis, deny them.

138. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 138 and, on that basis, deny them.

139. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 139 and, on that basis, deny them.

140. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 140 and, on that basis, deny them.

141. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 141 and, on that basis, deny them.

142. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 142 and, on that basis, deny them.

143. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 143 and, on that basis, deny them.

144. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 144 and, on that basis, deny them.

145. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 145 and, on that basis, deny them.

146. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 146 and, on that basis, deny them.

147. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 147 and, on that basis, deny them.

148. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 148 and, on that basis, deny them.

149. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 149 and, on that basis, deny them.

150. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 150 and, on that basis, deny them.

151. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 151 and, on that basis, deny them.

152. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 152 and, on that basis, deny them.

153. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 153 and, on that basis, deny them.

154. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 154 and, on that basis, deny them.

155. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 155 and, on that basis, deny them.

156. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 156 and, on that basis, deny them.

157. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 157 and, on that basis, deny them.

158. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 158 and, on that basis, deny them.

159. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 159 and, on that basis, deny them.

160. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 160 and, on that basis, deny them.

161. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 161 and, on that basis, deny them.

162. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 162 and, on that basis, deny them.

163. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 163 and, on that basis, deny them.

164. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 164 and, on that basis, deny them.

165. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 165 and, on that basis, deny them.

166. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 166 and, on that basis, deny them.

167. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 167 and, on that basis, deny them.

168. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 168 and, on that basis, deny them.

169. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 169 and, on that basis, deny them.

170. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 170 and, on that basis, deny them.

171. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 171 and, on that basis, deny them.

172. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 172 and, on that basis, deny them.

173. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 173 and, on that basis, deny them.

174. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 174 and, on that basis, deny them.

175. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 175 and, on that basis, deny them.

176. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 176 and, on that basis, deny them.

177. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 177 and, on that basis, deny them.

178. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 178 and, on that basis, deny them.

179. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 179 and, on that basis, deny them.

180. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 180 and, on that basis, deny them.

181. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 181 and, on that basis, deny them.

182. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 182 and, on that basis, deny them.

183. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 183 and, on that basis, deny them.

184. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 184 and, on that basis, deny them.

185. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 185 and, on that basis, deny them.

186. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 186 and, on that basis, deny them.

187. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 187 and, on that basis, deny them.

188. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 188 and, on that basis, deny them.

189. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 189 and, on that basis, deny them.

190. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 190 and, on that basis, deny them.

191. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 191 and, on that basis, deny them.

192. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 192 and, on that basis, deny them.

193. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 193 and, on that basis, deny them.

194. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 194 and, on that basis, deny them.

195. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 195 and, on that basis, deny them.

196. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 196 and, on that basis, deny them.

197. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 197 and, on that basis, deny them.

3. Humana's Kickbacks to SelectQuote¹⁹

198. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 198 and, on that basis, deny them.

199. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 199 and, on that basis, deny them.

¹⁹ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

200. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 200 and, on that basis, deny them.

201. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 201 and, on that basis, deny them.

202. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 202 and, on that basis, deny them.

203. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 203 and, on that basis, deny them.

204. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 204 and, on that basis, deny them.

205. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 205 and, on that basis, deny them.

206. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 206 and, on that basis, deny them.

207. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 207 and, on that basis, deny them.

208. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 208 and, on that basis, deny them.

209. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 209 and, on that basis, deny them.

210. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 210 and, on that basis, deny them.

211. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 211 and, on that basis, deny them.

212. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 212 and, on that basis, deny them.

213. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 213 and, on that basis, deny them.

214. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 214 and, on that basis, deny them.

215. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 215 and, on that basis, deny them.

216. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 216 and, on that basis, deny them.

217. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 217 and, on that basis, deny them.

218. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 218 and, on that basis, deny them.

219. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 219 and, on that basis, deny them.

220. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 220 and, on that basis, deny them.

221. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 221 and, on that basis, deny them.

222. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 222 and, on that basis, deny them.

223. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 223 and, on that basis, deny them.

224. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 224 and, on that basis, deny them.

225. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 225 and, on that basis, deny them.

226. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 226 and, on that basis, deny them.

227. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 227 and, on that basis, deny them.

228. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 228 and, on that basis, deny them.

229. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 229 and, on that basis, deny them.

230. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 230 and, on that basis, deny them.

231. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 231 and, on that basis, deny them.

232. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 232 and, on that basis, deny them.

233. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 233 and, on that basis, deny them.

234. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 234 and, on that basis, deny them.

235. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 235 and, on that basis, deny them.

236. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 236 and, on that basis, deny them.

237. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 237 and, on that basis, deny them.

238. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 238 and, on that basis, deny them.

239. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 239 and, on that basis, deny them.

240. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 240 and, on that basis, deny them.

241. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 241 and, on that basis, deny them.

242. Defendants deny the allegations in the first sentence of Paragraph 242 insofar as they relate to Defendants. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 242 that relate to Humana and SelectQuote and, on that basis, deny them.

243. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 243 and, on that basis, deny them.

244. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 244 and, on that basis, deny them.

245. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 245 and, on that basis, deny them.

246. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 246 and, on that basis, deny them.

247. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 247 and, on that basis, deny them.

248. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 248 and, on that basis, deny them.

249. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 249 and, on that basis, deny them.

250. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 250 and, on that basis, deny them.

251. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 251 and, on that basis, deny them.

252. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 252 and, on that basis, deny them.

253. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 253 and, on that basis, deny them.

254. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 254 and, on that basis, deny them.

255. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 255 and, on that basis, deny them.

256. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 256 and, on that basis, deny them.

4. Humana's Kickbacks to eHealth²⁰

257. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 257 and, on that basis, deny them.

258. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 258 and, on that basis, deny them.

259. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 259 and, on that basis, deny them.

260. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 260 and, on that basis, deny them.

261. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 261 and, on that basis, deny them.

262. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 262 and, on that basis, deny them.

263. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 263 and, on that basis, deny them.

²⁰ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

264. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 264 and, on that basis, deny them.

265. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 265 and, on that basis, deny them.

266. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 266 and, on that basis, deny them.

267. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 267 and, on that basis, deny them.

268. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 268 and, on that basis, deny them.

269. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 269 and, on that basis, deny them.

270. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 270 and, on that basis, deny them.

271. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 271 and, on that basis, deny them.

272. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 272 and, on that basis, deny them.

273. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 273 and, on that basis, deny them.

274. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 274 and, on that basis, deny them.

275. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 275 and, on that basis, deny them.

276. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 276 and, on that basis, deny them.

277. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 277 and, on that basis, deny them.

278. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 278 and, on that basis, deny them.

279. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 279 and, on that basis, deny them.

280. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 280 and, on that basis, deny them.

281. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 281 and, on that basis, deny them.

282. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 282 and, on that basis, deny them.

283. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 283 and, on that basis, deny them.

284. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 284 and, on that basis, deny them.

285. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 285 and, on that basis, deny them.

286. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 286 and, on that basis, deny them.

287. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 287 and, on that basis, deny them.

288. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 288 and, on that basis, deny them.

289. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 289 and, on that basis, deny them.

290. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 290 and, on that basis, deny them.

291. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 291 and, on that basis, deny them.

292. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 292 and, on that basis, deny them.

293. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 293 and, on that basis, deny them.

294. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 294 and, on that basis, deny them.

295. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 295 and, on that basis, deny them.

296. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 296 and, on that basis, deny them.

297. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 297 and, on that basis, deny them.

298. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 298 and, on that basis, deny them.

299. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 299 and, on that basis, deny them.

300. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 300 and, on that basis, deny them.

301. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 301 and, on that basis, deny them.

302. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 302 and, on that basis, deny them.

303. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 303 and, on that basis, deny them.

304. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 304 and, on that basis, deny them.

5. Humana Conspired with the Defendant Brokers and Others to Discriminate Against Medicare Beneficiaries with Disabilities²¹

305. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 305 and, on that basis, deny them.

306. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 306 and, on that basis, deny them.

²¹ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

307. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 307 and, on that basis, deny them.

308. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 308 and, on that basis, deny them.

309. Defendants lack sufficient knowledge and information to admit or deny the allegations of the first sentence of Paragraph 309 and, on that basis, deny them. Defendants deny the remaining allegations in Paragraph 309.

310. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 310 and, on that basis, deny them.

311. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 311 and, on that basis, deny them.

312. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 312 and, on that basis, deny them.

313. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 313 and, on that basis, deny them.

i. Humana and the Defendant Brokers Knew It Was Illegal to Discriminate Against Medicare Beneficiaries with Disabilities²²

314. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 314 and, on that basis, deny them.

315. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 315 and, on that basis, deny them.

²² Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

316. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 316 and, on that basis, deny them.

ii. Humana Pressured the Defendant Brokers and Others to Limit Enrollment of Beneficiaries with Disabilities²³

317. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 317 and, on that basis, deny them.

318. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 318 and, on that basis, deny them.

319. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 319 and, on that basis, deny them.

320. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 320 and, on that basis, deny them.

321. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 321 and, on that basis, deny them.

322. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 322 and, on that basis, deny them.

323. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 323 and, on that basis, deny them.

324. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 324 and, on that basis, deny them.

325. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 325 and, on that basis, deny them.

²³ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

326. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 326 and, on that basis, deny them.

327. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 327 and, on that basis, deny them.

328. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 328 and, on that basis, deny them.

329. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 329 and, on that basis, deny them.

330. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 330 and, on that basis, deny them.

331. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 331 and, on that basis, deny them.

332. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 332 and, on that basis, deny them.

333. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 333 and, on that basis, deny them.

334. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 334 and, on that basis, deny them.

335. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 335 and, on that basis, deny them.

336. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 336 and, on that basis, deny them.

337. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 337 and, on that basis, deny them.

338. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 338 and, on that basis, deny them.

iii. At Humana's Behest, the Defendant Brokers and Others Limited Enrollment of Disabled Beneficiaries in Humana Plans²⁴

339. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 339 and, on that basis, deny them.

340. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 340 and, on that basis, deny them.

341. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 341 and, on that basis, deny them.

342. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 342 and, on that basis, deny them.

343. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 343 and, on that basis, deny them.

344. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 344 and, on that basis, deny them.

345. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 345 and, on that basis, deny them.

346. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 346 and, on that basis, deny them.

²⁴ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

347. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 347 and, on that basis, deny them.

348. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 348 and, on that basis, deny them.

349. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 349 and, on that basis, deny them.

350. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 350 and, on that basis, deny them.

351. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 351 and, on that basis, deny them.

352. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 352 and, on that basis, deny them.

353. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 353 and, on that basis, deny them.

354. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 354 and, on that basis, deny them.

355. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 355 and, on that basis, deny them.

356. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 356 and, on that basis, deny them.

357. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 357 and, on that basis, deny them.

iv. Humana and the Defendant Brokers Were Successful in Their Scheme to Limit Enrollment of Beneficiaries with Disabilities²⁵

358. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 358 and, on that basis, deny them.

359. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 359 and, on that basis, deny them.

360. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 360 and, on that basis, deny them.

361. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 361 and, on that basis, deny them.

362. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 362 and, on that basis, deny them.

363. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 363 and, on that basis, deny them.

364. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 364 and, on that basis, deny them.

365. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 365 and, on that basis, deny them.

366. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 366 and, on that basis, deny them.

367. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 367 and, on that basis, deny them.

²⁵ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

368. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 368 and, on that basis, deny them.

369. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 369 and, on that basis, deny them.

370. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 370 and, on that basis, deny them.

371. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 371 and, on that basis, deny them.

372. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 372 and, on that basis, deny them.

373. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 373 and, on that basis, deny them.

374. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 374 and, on that basis, deny them.

375. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 375 and, on that basis, deny them.

376. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 376 and, on that basis, deny them.

377. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 377 and, on that basis, deny them.

B. Aetna²⁶

1. Aetna Paid Kickbacks to the Defendant Brokers to Steer Medicare Beneficiaries to Aetna Plans and Limit Enrollment in Competitors' Plans²⁷

378. Defendants deny the allegations of Paragraph 378.

379. Defendants deny the allegations of Paragraph 379.

380. Defendants deny the allegations of Paragraph 380.

381. Defendants deny the allegations of Paragraph 381.

382. Defendants deny the allegations of Paragraph 382.

383. Defendants deny the allegations of Paragraph 383.

384. Paragraph 384 purports to quote unidentified documents; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants deny any remaining allegations in Paragraph 384.

385. Defendants deny the allegations of Paragraph 385.

386. Defendants deny the allegations of Paragraph 386.

2. Aetna's Kickbacks to eHealth²⁸

387. Defendants deny the allegations of Paragraph 387.

388. Defendants deny the allegations of Paragraph 388.

²⁶ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

²⁷ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

²⁸ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

389. Paragraph 389 purports to quote unidentified documents; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants deny any remaining allegations in Paragraph 389.

390. Defendants deny the allegations of Paragraph 390.

391. Paragraph 391 purports to quote from, characterize, or describe eHealth internal communications that are not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 391.

392. Paragraph 392 purports to quote from, characterize, or describe eHealth communications and testimony that are not available to Defendants; Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 392.

393. Defendants deny the allegations of Paragraph 393.

394. Defendants deny the allegations of Paragraph 394.

395. Paragraph 395 purports to quote unidentified documents; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants deny any remaining allegations in Paragraph 395.

396. Paragraph 396 purports to quote from, characterize, or describe eHealth internal communications that are not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 396.

397. Defendants deny the allegations of Paragraph 397.

398. Defendants deny the allegations of Paragraph 398.

399. The first sentence of Paragraph 399 purports to quote unidentified documents; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. The rest of Paragraph 399 purports to quote from, characterize, or describe eHealth internal communications that are not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 399.

400. Paragraph 400 purports to quote unidentified documents; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants deny any remaining allegations in Paragraph 400.

401. Defendants deny the allegations of Paragraph 401.

402. Paragraph 402 purports to quote unidentified documents; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants deny any remaining allegations in Paragraph 402.

403. Defendants deny the allegations of Paragraph 403.

404. Defendants deny the allegations of Paragraph 404.

405. Defendants deny the allegations of Paragraph 405.

406. Paragraph 406 purports to quote unidentified documents; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the

accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants deny any remaining allegations in Paragraph 406.

407. Defendants deny the allegations of Paragraph 407.

408. Defendants deny the allegations of Paragraph 408.

409. Defendants deny the allegations of Paragraph 409.

410. Defendants deny the allegations of Paragraph 410.

411. Paragraph 411 purports to describe unidentified documents; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the description and, on that basis, deny the allegations of Paragraph 411. Defendants deny any remaining allegations in Paragraph 411.

412. Defendants deny the allegations of Paragraph 412.

413. Paragraph 413 purports to quote unidentified documents; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants deny any remaining allegations in Paragraph 413.

414. Defendants deny the allegations of Paragraph 414.

415. Paragraph 415 purports to quote unidentified documents; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants deny any remaining allegations in Paragraph 415.

416. Defendants lack sufficient knowledge and information to admit or deny the allegations of the first sentence of Paragraph 416 and, on that basis, deny them. The rest of Paragraph 416 purports to quote from, characterize, or describe eHealth internal communications

that are not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 416.

417. Defendants deny the allegations of Paragraph 417.

418. Defendants deny the allegations of the first sentence of Paragraph 418. The second sentence of Paragraph 418 purports to quote unidentified documents; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants deny any remaining allegations in Paragraph 418.

419. Paragraph 419 purports to quote unidentified documents; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants deny any remaining allegations in Paragraph 419.

420. Paragraph 420 purports to quote unidentified documents; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants deny any remaining allegations in Paragraph 420.

3. Aetna's Kickbacks to SelectQuote²⁹

421. Defendants deny the allegations of Paragraph 421.

422. Defendants deny the allegations of Paragraph 422.

423. Defendants deny the allegations of Paragraph 423.

²⁹ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

424. Defendants deny the allegations of Paragraph 424.

425. Defendants deny the allegations in the first sentence of Paragraph 425 that allege actions by “Aetna.” The rest of Paragraph 425 purports to quote from, characterize, or describe SelectQuote internal communications that are not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 425.

426. Paragraph 426 purports to quote from, characterize, or describe SelectQuote internal communications; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 426.

427. Defendants deny the allegations of Paragraph 427.

428. Defendants deny the allegations of Paragraph 428.

429. Paragraph 429 purports to quote unidentified documents; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants deny any remaining allegations in Paragraph 429.

430. Defendants lack sufficient knowledge and information to admit or deny the allegations of the first sentence of Paragraph 430 and, on that basis, deny them. The rest of Paragraph 430 purports to quote from, characterize, or describe SelectQuote internal communications that are not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 430.

431. Paragraph 431 purports to quote unidentified documents; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants deny any remaining allegations in Paragraph 431.

432. Defendants deny the allegations of Paragraph 432.

433. Paragraph 433 purports to quote from and characterize unidentified documents; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language or characterizations and, on that basis, deny that the language is accurately quoted or the characterizations accurate. Defendants deny any remaining allegations in Paragraph 433.

434. Defendants deny the allegations of Paragraph 434.

435. Defendants deny the allegations of Paragraph 435.

436. Defendants deny the allegations of Paragraph 436.

437. Defendants deny the allegations of Paragraph 437.

438. Defendants deny the allegations of Paragraph 438.

439. The first two sentences of Paragraph 439 purport to quote unidentified documents; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. The final sentence of Paragraph 439 purports to characterize unspecified sections of Mr. Feret's testimony; because this section has not been identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of this characterization and, on that basis, deny the allegations of this sentence. Defendants deny any remaining allegations in Paragraph 439.

440. Defendants deny the allegations of Paragraph 440.

441. Defendants deny the allegations of Paragraph 441.

442. Defendants deny the allegations of Paragraph 442.

443. Paragraph 443 purports to quote from, characterize, or describe SelectQuote internal communications that are not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 443.

444. Defendants deny the allegations of Paragraph 444.

445. Paragraph 445 purports to quote from, characterize, or describe internal SelectQuote communications and plans that are not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 445.

446. Paragraph 446 purports to quote from, characterize, or describe internal SelectQuote communications and plans that are not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 446.

447. Defendants deny the allegations of Paragraph 447.

448. Defendants lack sufficient knowledge and information to admit or deny the allegations of the first sentence of Paragraph 448 and, on that basis, deny them. The rest of Paragraph 448 purports to quote from, characterize, or describe internal SelectQuote communications and plans that are not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 448.

449. Paragraph 449 purports to quote unidentified documents; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants deny any remaining allegations in Paragraph 449.

450. Paragraph 450 purports to quote from and characterize SelectQuote testimony that is not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 450.

451. Defendants deny the allegations of Paragraph 451.

452. Paragraph 452 purports to quote from and characterize SelectQuote internal communications that are not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 452.

453. Paragraph 453 purports to quote from, characterize, and describe SelectQuote testimony that is not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 453.

454. Paragraph 454 purports to quote, characterize, and describe unidentified communications and invoices; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language or descriptions and, on that basis, deny that the language is accurately quoted or the descriptions accurate. Defendants deny any remaining allegations in Paragraph 454.

455. Defendants deny the allegations in the first sentence of Paragraph 455 that allege actions by “Aetna.” Defendants lack sufficient knowledge and information to admit or deny the remaining allegations of Paragraph 455 and, on that basis, deny them.

456. Defendants deny the allegations of Paragraph 456.

457. Defendants deny the allegations in the first sentence of Paragraph 457. The rest of Paragraph 457 purports to quote, characterize, and describe unidentified communications and invoices; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language or characterizations and, on that basis, deny that the language is accurately quoted or the characterizations accurate. Defendants deny any remaining allegations in Paragraph 457.

4. Aetna’s Kickbacks to GoHealth³⁰

458. Defendants deny the allegations of Paragraph 458.

459. Defendants deny the allegations of Paragraph 459.

460. Defendants lack sufficient knowledge and information to admit or deny the allegations of the first sentence of Paragraph 460 and, on that basis, deny them. The second and third sentence of Paragraph 460 purport to quote and characterize unidentified communications documents; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language or characterizations and, on that basis, deny that the language is accurately quoted or the characterizations accurate. Defendants deny any remaining allegations in Paragraph 460.

461. Defendants deny the allegations of Paragraph 461.

³⁰ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

462. Defendants deny the allegations of Paragraph 462.

463. Paragraph 463 purports to quote from, characterize, and describe GoHealth internal communications that are not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 463.

464. Defendants deny the allegations of Paragraph 464.

465. Defendants deny the allegations of Paragraph 465.

466. Defendants deny the allegations of the first and third sentences of Paragraph 466. The second sentence of Paragraph 466 purports to quote unidentified testimony; because the relevant sections of testimony are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants deny any remaining allegations in Paragraph 466.

467. Defendants deny the allegations of Paragraph 467.

5. Aetna’s “Bonuses,” “Rewards,” and “Kickers”³¹

468. Defendants deny the allegations of Paragraph 468.

469. Defendants deny the allegations of Paragraph 469.

470. Defendants deny the allegations in the first sentence of Paragraph 470. Paragraph 470 purports to quote or describe unidentified documents; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language or descriptions and, on that basis, deny that the language is accurately quoted or the descriptions accurate. Defendants deny any remaining allegations in Paragraph 470.

³¹ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

471. Paragraph 471 purports to quote unidentified documents; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants deny any remaining allegations in Paragraph 471.

472. Paragraph 472 purports to quote unidentified documents; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants deny any remaining allegations in Paragraph 472.

473. Defendants deny the allegations of Paragraph 473.

474. Paragraph 474 purports to quote from, characterize, or describe eHealth internal communications that are not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 474.

475. Defendants lack sufficient knowledge and information to admit or deny the allegations of the first sentence of Paragraph 475 and, on that basis, deny them. Paragraph 475 purports to quote from, characterize, or describe eHealth internal communications that are not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 475.

476. Paragraph 476 purports to quote from, characterize, or describe eHealth internal communications that are not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 476.

477. Defendants deny the allegations in the first sentence of Paragraph 477. The rest of Paragraph 477 purports to quote from, characterize, or describe eHealth internal communications that are not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 477.

478. Paragraph 478 purports to quote from, characterize, or describe eHealth internal communications that are not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 478.

479. The first sentence of Paragraph 479 contains allegations regarding SelectQuote; Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. The remainder of Paragraph 479 purports to quote unidentified communications; because those communications are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants deny any remaining allegations in Paragraph 479.

480. Defendants deny the allegations of Paragraph 480.

481. Defendants deny the allegations of Paragraph 481.

482. Defendants deny the allegations of Paragraph 482.

483. Defendants deny the allegations of Paragraph 483.

6. Aetna Conspired with the Defendant Brokers and Others to Discriminate Against Medicare Beneficiaries with Disabilities³²

484. Defendants deny the allegations of Paragraph 484.

485. Defendants admit that CMS generally pays Medicare Advantage Organizations using capitated payments, per beneficiary and per month. Defendants deny any remaining allegations in Paragraph 485.

486. Defendants deny the allegations of Paragraph 486.

487. Defendants deny the allegations of Paragraph 487.

488. Defendants deny the allegations of Paragraph 488.

489. Defendants deny the allegations of Paragraph 489.

490. Defendants deny the allegations of Paragraph 490.

i. Aetna and the Defendant Brokers Knew It Was Illegal to Discriminate Against Medicare Beneficiaries with Disabilities³³

491. Defendants deny the allegations in Paragraph 491.

492. Paragraph 492 purports to quote unidentified documents; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants deny any remaining allegations in Paragraph 492.

493. Defendants deny the allegations of Paragraph 493.

494. Defendants deny the allegations of Paragraph 494.

495. Defendants deny the allegations of Paragraph 495.

³² Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

³³ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

ii. Aetna Pressured the Defendant Brokers and Others to Limit Enrollment of Beneficiaries with Disabilities³⁴

496. Defendants deny the allegations of Paragraph 496.

497. Defendants deny the allegations of Paragraph 497.

498. Defendants deny the allegations of Paragraph 498.

499. Defendants deny the allegations of Paragraph 499.

500. Paragraph 500 purports to quote unidentified communications; because those communications are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants deny any remaining allegations in Paragraph 500.

501. Paragraph 501 purports to quote from, characterize, or describe unidentified communications; Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants deny any remaining allegations in Paragraph 501.

502. Paragraph 502 purports to quote unidentified communications; because those communications are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants deny any remaining allegations in Paragraph 502.

503. Defendants deny the allegations of Paragraph 503.

504. Defendants deny the allegations of Paragraph 504.

³⁴ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

iii. At Aetna's Behest, the Defendant Brokers and Others Limited Enrollment of Disabled Beneficiaries in Aetna Plans³⁵

505. Defendants deny the allegations of Paragraph 505.

506. Paragraph 506 purports to quote from, characterize, or describe an eHealth internal communication that is not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 506.

507. The first sentence of Paragraph 507 purports to quote an unidentified email communication; because that document is not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. The second sentence of Paragraph 507 purports to quote from, characterize, or describe an eHealth internal communication that is not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 507.

508. Paragraph 508 purports to quote from, characterize, or describe eHealth internal communications that are not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 508.

509. Paragraph 509 purports to quote from, characterize, or describe an eHealth internal communication that is not available to Defendants; as a result, Defendants lack sufficient

³⁵ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 509.

510. The first two sentences of Paragraph 510 purport to quote from, characterize, or describe eHealth internal communications that are not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. The third sentence contains allegations regarding the actions of eHealth; Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 510.

511. Defendants deny the allegations of Paragraph 511.

512. Defendants deny the allegations of Paragraph 512.

513. Defendants deny the allegations of Paragraph 513.

514. Defendants deny the allegations of Paragraph 514.

515. Defendants deny the allegations of Paragraph 515.

516. Defendants deny the allegations of Paragraph 516.

517. Defendants deny the allegations of Paragraph 517.

518. Defendants deny the allegations of Paragraph 518.

519. Defendants deny the allegations of Paragraph 519.

520. Defendants deny the allegations of Paragraph 520.

521. Defendants deny the allegations of Paragraph 521.

522. Defendants deny the allegations of Paragraph 522.

523. Defendants deny the allegations of Paragraph 523.

524. Paragraph 524 purports to quote from, characterize, or describe eHealth internal communications that are not available to Defendants; as a result, Defendants lack sufficient

knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 524.

525. Paragraph 525 purports to quote from, characterize, or describe an eHealth internal communication that is not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 525.

526. Paragraph 526 purports to quote from, characterize, or describe eHealth internal communications that are not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 526.

527. Paragraph 527 purports to quote from, characterize, or describe an eHealth internal communication that is not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 527.

528. Paragraph 528 purports to quote from, characterize, or describe an eHealth internal communication that is not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 528.

529. Paragraph 529 purports to quote from, characterize, or describe an eHealth internal communication that is not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 529.

530. Paragraph 530 purports to quote from, characterize, or describe an eHealth internal communication that is not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 530.

531. Defendants lack sufficient knowledge and information to admit or deny the allegations of the first sentence of Paragraph 531 and, on that basis, deny them. The rest of Paragraph 531 purports to quote from, characterize, or describe eHealth internal communications that are not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 531.

532. Defendants deny the allegations of Paragraph 532.

533. Paragraph 533 purports to quote from, characterize, or describe eHealth internal communications that are not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 533.

534. Defendants deny the allegations of Paragraph 534.

535. Paragraph 535 purports to quote from and describe unidentified documents; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language or descriptions and, on that basis, deny that the language is accurately quoted or the descriptions accurate. Defendants deny any remaining allegations in Paragraph 535.

536. Paragraph 536 purports to quote unidentified documents; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the

accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants deny any remaining allegations in Paragraph 536.

537. Paragraph 537 purports to quote unidentified documents; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants deny any remaining allegations in Paragraph 537.

538. Defendants deny the allegations of Paragraph 538.

539. Defendants deny the allegations of Paragraph 539.

540. Defendants deny the allegations of Paragraph 540.

541. Paragraph 541 purports to quote unidentified documents; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants deny any remaining allegations in Paragraph 541.

542. Paragraph 542 purports to quote unidentified documents; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants deny any remaining allegations in Paragraph 542.

543. Paragraph 543 purports to quote unidentified Aetna email communications; because those email communications are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants deny any remaining allegations in Paragraph 543.

544. Defendants deny the allegations of Paragraph 544.

545. Defendants deny the allegations of Paragraph 545.

546. Defendants deny the allegations of Paragraph 546.

547. Defendants deny the allegations of Paragraph 547.

548. Paragraph 548 purports to quote from, characterize, or describe eHealth internal communications that are not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 548.

549. Paragraph 549 purports to quote from, characterize, or describe an eHealth internal communication that is not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 549.

550. Defendants deny the allegations of Paragraph 550.

551. Defendants deny the allegations of Paragraph 551.

552. Defendants deny the allegations of Paragraph 552.

553. Defendants deny the allegations of Paragraph 553.

554. Paragraph 554 purports to characterize unidentified documents; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of this Paragraph and, on that basis, deny it. Defendants deny any remaining allegations in Paragraph 554.

555. Defendants deny the allegations of Paragraph 555.

556. Defendants deny the allegations of Paragraph 556.

557. Defendants deny the allegations of Paragraph 557.

558. Defendants deny the allegations of Paragraph 558.

559. Defendants deny the allegations of Paragraph 559.

560. Defendants deny the allegations of Paragraph 560.

561. Defendants deny the allegations of Paragraph 561.

562. Defendants deny the allegations of Paragraph 562.

563. Paragraph 563 purports to quote from, characterize, or describe a GoHealth internal communication that is not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 563.

564. Defendants admit that Aetna Life Insurance Company terminated a contract with GoHealth in or around July 2018. The remainder of Paragraph 564 purports to quote unidentified communications; because those communications are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants deny any remaining allegations in Paragraph 564.

565. Paragraph 565 purports to quote an unidentified communication; because that communication is not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants deny any remaining allegations in Paragraph 565.

566. Defendants deny the allegations of Paragraph 566.

567. Defendants deny the allegations of Paragraph 567.

568. Defendants deny the allegations of Paragraph 568.

569. Defendants deny the allegations of Paragraph 569.

570. Defendants deny the allegations of Paragraph 570.

571. Defendants deny the allegations of Paragraph 571.

572. Defendants deny the allegations of Paragraph 572.

iv. Aetna Was Successful in Its Scheme to Limit Enrollment of Beneficiaries with Disabilities³⁶

573. Defendants deny the allegations of Paragraph 573.

574. Paragraph 574 purports to quote from, characterize, or describe an eHealth internal communication that is not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 574.

575. Paragraph 575 purports to quote unidentified documents; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants deny any remaining allegations in Paragraph 575.

576. The first sentence of Paragraph 576 purports to quote unidentified email communications; because those email communications are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. The second sentence of Paragraph 576 purports to quote from, characterize, or describe an eHealth internal communication that is not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 576.

577. Defendants deny the allegations of Paragraph 577.

³⁶ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

C. Anthem³⁷

1. Anthem Paid Kickbacks to GoHealth and eHealth to Steer Medicare Beneficiaries to Aetna Plans and Limit Enrollments in Competitors' Plans³⁸

578. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 578 and, on that basis, deny them.

579. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 579 and, on that basis, deny them.

580. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 580 and, on that basis, deny them.

581. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 581 and, on that basis, deny them.

582. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 582 and, on that basis, deny them.

583. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 583 and, on that basis, deny them.

2. Anthem's Kickbacks to GoHealth³⁹

584. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 584 and, on that basis, deny them.

³⁷ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

³⁸ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

³⁹ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

585. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 585 and, on that basis, deny them.

586. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 586 and, on that basis, deny them.

587. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 587 and, on that basis, deny them.

588. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 588 and, on that basis, deny them.

589. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 589 and, on that basis, deny them.

590. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 590 and, on that basis, deny them.

591. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 591 and, on that basis, deny them.

592. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 592 and, on that basis, deny them.

593. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 593 and, on that basis, deny them.

594. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 594 and, on that basis, deny them.

595. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 595 and, on that basis, deny them.

596. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 596 and, on that basis, deny them.

597. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 597 and, on that basis, deny them.

598. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 598 and, on that basis, deny them.

599. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 599 and, on that basis, deny them.

600. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 600 and, on that basis, deny them.

601. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 601 and, on that basis, deny them.

602. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 602 and, on that basis, deny them.

603. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 603 and, on that basis, deny them.

604. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 604 and, on that basis, deny them.

605. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 605 and, on that basis, deny them.

606. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 606 and, on that basis, deny them.

607. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 607 and, on that basis, deny them.

608. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 608 and, on that basis, deny them.

609. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 609 and, on that basis, deny them.

610. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 610 and, on that basis, deny them.

611. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 611 and, on that basis, deny them.

612. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 612 and, on that basis, deny them.

613. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 613 and, on that basis, deny them.

614. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 614 and, on that basis, deny them.

615. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 615 and, on that basis, deny them.

616. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 616 and, on that basis, deny them.

617. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 617 and, on that basis, deny them.

618. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 618 and, on that basis, deny them.

619. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 619 and, on that basis, deny them.

620. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 620 and, on that basis, deny them.

621. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 621 and, on that basis, deny them.

622. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 622 and, on that basis, deny them.

623. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 623 and, on that basis, deny them.

624. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 624 and, on that basis, deny them.

625. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 625 and, on that basis, deny them.

626. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 626 and, on that basis, deny them.

627. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 627 and, on that basis, deny them.

628. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 628 and, on that basis, deny them.

629. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 629 and, on that basis, deny them.

630. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 630 and, on that basis, deny them.

631. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 631 and, on that basis, deny them.

632. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 632 and, on that basis, deny them.

633. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 633 and, on that basis, deny them.

634. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 634 and, on that basis, deny them.

635. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 635 and, on that basis, deny them.

636. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 636 and, on that basis, deny them.

637. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 637 and, on that basis, deny them.

638. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 638 and, on that basis, deny them.

639. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 639 and, on that basis, deny them.

640. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 640 and, on that basis, deny them.

641. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 641 and, on that basis, deny them.

642. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 642 and, on that basis, deny them.

643. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 643 and, on that basis, deny them.

644. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 644 and, on that basis, deny them.

645. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 645 and, on that basis, deny them.

646. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 646 and, on that basis, deny them.

647. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 647 and, on that basis, deny them.

648. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 648 and, on that basis, deny them.

649. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 649 and, on that basis, deny them.

650. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 650 and, on that basis, deny them.

651. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 651 and, on that basis, deny them.

652. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 652 and, on that basis, deny them.

653. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 653 and, on that basis, deny them.

654. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 654 and, on that basis, deny them.

655. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 655 and, on that basis, deny them.

656. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 656 and, on that basis, deny them.

657. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 657 and, on that basis, deny them.

658. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 658 and, on that basis, deny them.

659. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 659 and, on that basis, deny them.

660. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 660 and, on that basis, deny them.

661. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 661 and, on that basis, deny them.

662. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 662 and, on that basis, deny them.

663. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 663 and, on that basis, deny them.

664. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 664 and, on that basis, deny them.

665. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 665 and, on that basis, deny them.

666. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 666 and, on that basis, deny them.

667. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 667 and, on that basis, deny them.

668. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 668 and, on that basis, deny them.

669. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 669 and, on that basis, deny them.

670. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 670 and, on that basis, deny them.

671. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 671 and, on that basis, deny them.

672. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 672 and, on that basis, deny them.

673. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 673 and, on that basis, deny them.

674. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 674 and, on that basis, deny them.

675. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 675 and, on that basis, deny them.

676. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 676 and, on that basis, deny them.

677. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 677 and, on that basis, deny them.

678. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 678 and, on that basis, deny them.

679. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 679 and, on that basis, deny them.

680. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 680 and, on that basis, deny them.

681. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 681 and, on that basis, deny them.

682. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 682 and, on that basis, deny them.

683. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 683 and, on that basis, deny them.

684. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 684 and, on that basis, deny them.

685. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 685 and, on that basis, deny them.

686. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 686 and, on that basis, deny them.

687. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 687 and, on that basis, deny them.

688. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 688 and, on that basis, deny them.

689. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 689 and, on that basis, deny them.

690. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 690 and, on that basis, deny them.

691. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 691 and, on that basis, deny them.

692. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 692 and, on that basis, deny them.

693. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 693 and, on that basis, deny them.

694. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 694 and, on that basis, deny them.

695. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 695 and, on that basis, deny them.

696. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 696 and, on that basis, deny them.

697. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 697 and, on that basis, deny them.

698. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 698 and, on that basis, deny them.

699. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 699 and, on that basis, deny them.

700. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 700 and, on that basis, deny them.

701. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 701 and, on that basis, deny them.

702. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 702 and, on that basis, deny them.

703. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 703 and, on that basis, deny them.

704. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 704 and, on that basis, deny them.

705. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 705 and, on that basis, deny them.

706. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 706 and, on that basis, deny them.

707. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 707 and, on that basis, deny them.

708. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 708 and, on that basis, deny them.

709. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 709 and, on that basis, deny them.

710. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 710 and, on that basis, deny them.

711. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 711 and, on that basis, deny them.

712. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 712 and, on that basis, deny them.

3. Anthem's Kickbacks to eHealth⁴⁰

713. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 713 and, on that basis, deny them.

714. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 714 and, on that basis, deny them.

715. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 715 and, on that basis, deny them.

⁴⁰ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

716. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 716 and, on that basis, deny them.

717. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 717 and, on that basis, deny them.

718. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 718 and, on that basis, deny them.

719. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 719 and, on that basis, deny them.

720. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 720 and, on that basis, deny them.

721. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 721 and, on that basis, deny them.

722. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 722 and, on that basis, deny them.

723. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 723 and, on that basis, deny them.

724. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 724 and, on that basis, deny them.

725. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 725 and, on that basis, deny them.

726. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 726 and, on that basis, deny them.

727. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 727 and, on that basis, deny them.

728. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 728 and, on that basis, deny them.

729. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 729 and, on that basis, deny them.

730. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 730 and, on that basis, deny them.

731. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 731 and, on that basis, deny them.

732. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 732 and, on that basis, deny them.

733. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 733 and, on that basis, deny them.

734. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 734 and, on that basis, deny them.

735. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 735 and, on that basis, deny them.

736. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 736 and, on that basis, deny them.

737. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 737 and, on that basis, deny them.

738. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 738 and, on that basis, deny them.

739. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 739 and, on that basis, deny them.

740. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 740 and, on that basis, deny them.

741. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 741 and, on that basis, deny them.

742. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 742 and, on that basis, deny them.

D. The Defendants' Kickback Schemes Harmed Medicare Beneficiaries⁴¹

743. Defendants deny the allegations of Paragraph 743 insofar as they relate to Defendants. Defendants lack knowledge and information sufficient to admit or deny the allegations of Paragraph 743 insofar as they relate to any other defendant and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 743.

744. Defendants deny the allegations of Paragraph 744 insofar as they relate to Defendants. Defendants lack knowledge and information sufficient to admit or deny the allegations of Paragraph 744 insofar as they relate to any other defendant and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 744.

745. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 745 and, on that basis, deny them.

⁴¹ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

746. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 746 and, on that basis, deny them.

747. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 747 and, on that basis, deny them.

748. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 748 and, on that basis, deny them.

749. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 749 and, on that basis, deny them.

750. Defendants deny the allegations of the first sentence of Paragraph 750. The second sentence of Paragraph 750 purports to quote unidentified documents; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants deny any remaining allegations in Paragraph 750.

751. Paragraph 751 purports to quote unidentified documents; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants deny any remaining allegations in Paragraph 751.

752. Paragraph 752 purports to quote from and describe unidentified documents; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants deny any remaining allegations in Paragraph 752.

753. Paragraph 753 purports to describe the contents of unidentified documents; because those documents are not identified, Defendants lack knowledge and information sufficient to admit

or deny the accuracy of these characterizations and, on that basis, deny that the characterizations are accurate. Defendants deny any remaining allegations in Paragraph 753.

754. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 754 and, on that basis, deny them.

755. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 755 and, on that basis, deny them.

756. Paragraph 756 purports to quote from and characterize GoHealth internal communications that are not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 756.

757. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 757 and, on that basis, deny them.

758. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 758 and, on that basis, deny them.

759. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 759 and, on that basis, deny them.

760. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 760 and, on that basis, deny them.

761. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 761 and, on that basis, deny them.

762. Paragraph 762 purports to quote from and characterize SelectQuote internal communications that are not available to Defendants; as a result, Defendants lack sufficient

knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 762.

763. Paragraph 763 purports to quote from and characterize SelectQuote internal communications that are not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 763.

764. Paragraph 764 purports to quote from and characterize SelectQuote internal communications that are not available to Defendants; as a result, Defendants lack sufficient knowledge and information to admit or deny the allegations and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 764.

V. THE DEFENDANTS MADE MATERIAL FALSE CLAIMS⁴²

A. The Defendants Made, or Caused to Be Made, Material False Claims Because They Violated the Anti-Kickback Statute⁴³

765. Defendants deny the allegations of Paragraph 765.

766. Defendants deny the allegations of Paragraph 766.

1. The Defendant Insurers' Contracts with CMS Required Each Defendant Insurer to Agree to Comply with the AKS⁴⁴

767. Defendants admit that Aetna Life Insurance Company entered into contracts with CMS to provide Medicare Advantage plans between 2016 and 2021. Defendants deny the

⁴² Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

⁴³ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

⁴⁴ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

allegations of Paragraph 767 insofar as they relate to Aetna Inc. or CVS Health Corporation. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 767 as to any other defendant and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 767.

768. Paragraph 768 purports to quote unidentified contracts; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 768 as to the other Defendant Insurers and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 768.

769. Defendants deny the allegations of Paragraph 769.

770. Defendants admit that Aetna Life Insurance Company entered into contracts with CMS to provide Medicare Advantage plans between 2016 and 2021. Defendants deny the allegations of Paragraph 770 insofar as they relate to Aetna Inc. or CVS Health Corporation. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 770 as to any other defendant and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 770.

771. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 771 and, on that basis, deny them.

772. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 772 and, on that basis, deny them.

773. Defendants admit that Aetna Life Insurance Company entered into Contract H5521 with CMS in 2015 and that the parties executed renewals of Contract H5521 in 2016, 2017, 2018,

2019, and 2020. Defendants further admit that the 2015, 2016, 2017, and 2018 contracts were signed by Kimberly Covert, that the 2019 version was signed by Kevin Grozio, and that the 2020 version was signed by Mike Kavouras. Defendants deny any remaining allegations in Paragraph 773.

774. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 774 and, on that basis, deny them.

2. The Defendant Insurers Certified in Their Claims for Payment That the Information They Provided Was Truthful⁴⁵

775. Defendants admit that Aetna Life Insurance Company submitted enrollment information to CMS monthly from 2016 through 2019 and quarterly beginning in 2020. Defendants deny any remaining allegations in Paragraph 775 that relate to Aetna Life Insurance Company, and deny all allegations in Paragraph 775 that relate to Aetna Inc. or CVS Health Corporation. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 775 insofar as they relate to any other defendant and, on that basis, deny them. Defendants deny any remaining allegations in Paragraph 775.

776. Defendants lack sufficient knowledge and information to admit or deny the allegations as they relate to any other defendant and, on that basis, deny them. Defendants admit that Aetna Life Insurance Company at times executed a form entitled “CERTIFICATION OF QUARTERLY ENROLLMENT AND PAYMENT DATA,” which at times included the quoted phrases, as well as additional language and context that Paragraph 776 omits. Defendants deny the characterizations of those quotations in Paragraph 776 and otherwise deny any remaining allegations in Paragraph 776.

⁴⁵ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

777. Paragraph 777 purports to describe unidentified certifications; because those certifications are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of these descriptions and, on that basis, deny that these certifications are accurately described. Defendants deny any remaining allegations in Paragraph 777.

778. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 778 and, on that basis, deny them.

779. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 779 and, on that basis, deny them.

780. Defendants deny the allegations of Paragraph 780 insofar as they relate to Defendants. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 780 insofar as they relate to any other defendant and, on that basis, deny them.

781. Defendants deny the allegations of Paragraph 781 insofar as they relate to Defendants. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 781 insofar as they relate to any other defendant and, on that basis, deny them.

782. Defendants deny the allegations of Paragraph 782 insofar as they relate to Defendants. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 782 insofar as they relate to any other defendant and, on that basis, deny them.

B. Aetna, Humana, and the Defendant Brokers Made, or Caused to Be Made, Material False Claims Because They Violated Anti-Discrimination Laws, Regulations, and Contractual Provisions⁴⁶

1. Aetna and Humana Agreed in Contracts with CMS to Comply with Anti-Discrimination Laws and Regulations⁴⁷

783. The Aetna Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 783 as to Humana and, on that basis, deny them. As against Defendants, the first sentence of Paragraph 783 purports to quote unidentified contracts; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. The second sentence of Paragraph 783 purports to quote a regulatory provision; Defendants deny the allegations of this sentence to the extent they are incomplete or inconsistent with the underlying regulatory provision. Defendants deny any remaining allegations in Paragraph 783.

784. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 784 as to Humana and, on that basis, deny them. As against Defendants, the first sentence of Paragraph 784 purports to quote unidentified Aetna Medicare Advantage contracts; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. As for the second sentence of Paragraph 784, Defendants admit

⁴⁶ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

⁴⁷ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

that the quotation appears in the cited legal source, but deny the Complaint's mischaracterization of that quotation. Defendants deny any remaining allegations in Paragraph 784.

785. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 785 as to Humana and, on that basis, deny them. As against Defendants, Paragraph 785 purports to quote unidentified Aetna Medicare Advantage contracts; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants deny any remaining allegations in Paragraph 785.

786. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 786 as to Humana and, on that basis, deny them. As against Defendants, Paragraph 786 purports to quote unidentified "Assurance[s] of Compliance"; because those documents are not identified, Defendants lack knowledge and information sufficient to admit or deny the accuracy of the quoted language and, on that basis, deny that the language is accurately quoted. Defendants deny any remaining allegations in Paragraph 786.

787. Defendants deny the allegations of Paragraph 787.

2. Aetna and Humana Conspired with the Defendant Brokers to Discriminate Against Medicare Beneficiaries with Disabilities in Violation of Contractual Requirements⁴⁸

788. Defendants deny the allegations of Paragraph 788 insofar as they relate to Defendants. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 788 insofar as they relate to Humana and, on that basis, deny them.

⁴⁸ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

789. Defendants deny the allegations of Paragraph 789 insofar as they relate to Defendants. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 789 insofar as they relate to Humana and, on that basis, deny them.

790. Defendants deny the allegations of Paragraph 790 insofar as they relate to Defendants. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 790 insofar as they relate to Humana and, on that basis, deny them.

VI. EXAMPLES OF FALSE CLAIMS TO THE GOVERNMENT⁴⁹

A. Humana and GoHealth⁵⁰

791. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 791 and, on that basis, deny them.

B. Humana and SelectQuote⁵¹

792. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 792 and, on that basis, deny them.

C. Humana and eHealth⁵²

793. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 793 and, on that basis, deny them.

⁴⁹ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

⁵⁰ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

⁵¹ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

⁵² Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

D. Aetna and eHealth⁵³

794. Defendants deny the allegations in Paragraph 794.

E. Aetna and SelectQuote⁵⁴

795. Defendants deny the allegations in Paragraph 795.

F. Aetna and GoHealth⁵⁵

796. Defendants deny the allegations in Paragraph 796.

G. Anthem and GoHealth⁵⁶

797. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 797 and, on that basis, deny them.

H. Anthem and eHealth⁵⁷

798. Defendants lack sufficient knowledge and information to admit or deny the allegations of Paragraph 798 and, on that basis, deny them.

⁵³ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

⁵⁴ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

⁵⁵ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

⁵⁶ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

⁵⁷ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

VII. CAUSES OF ACTION⁵⁸

COUNT I⁵⁹

799. Defendants incorporate by reference their responses to Paragraphs 1–798. To the extent a further response is required, Defendants deny the allegations of Paragraph 799.

800. Defendants deny the allegations of Paragraph 800.

801. Defendants deny the allegations of Paragraph 801.

802. Defendants deny the allegations of Paragraph 802.

803. Defendants deny the allegations of Paragraph 803.

COUNT II⁶⁰

804. Defendants incorporate by reference their responses to Paragraphs 1–803. To the extent a further response is required, Defendants deny the allegations of Paragraph 804.

805. Defendants deny the allegations of Paragraph 805.

806. Defendants deny the allegations of Paragraph 806.

807. Defendants deny the allegations of Paragraph 807.

808. Defendants deny the allegations of Paragraph 808.

809. Defendants deny the allegations of Paragraph 809.

810. Defendants deny the allegations of Paragraph 810.

811. Defendants deny the allegations of Paragraph 811.

⁵⁸ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

⁵⁹ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

⁶⁰ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

812. Defendants deny the allegations of Paragraph 812.

813. Defendants deny the allegations of Paragraph 813.

814. Defendants deny the allegations of Paragraph 814.

815. Defendants deny the allegations of Paragraph 815.

COUNT III⁶¹

816. Defendants incorporate by reference their responses to Paragraphs 1–815. To the extent a further response is required, Defendants deny the allegations of Paragraph 816.

817. Defendants deny the allegations of Paragraph 817.

818. Defendants deny the allegations of Paragraph 818.

819. Defendants deny the allegations of Paragraph 819.

820. Defendants deny the allegations of Paragraph 820.

821. Defendants deny the allegations of Paragraph 821.

822. Defendants deny the allegations of Paragraph 822.

823. Defendants deny the allegations of Paragraph 823.

824. Defendants deny the allegations of Paragraph 824.

825. Defendants deny the allegations of Paragraph 825.

826. Defendants deny the allegations of Paragraph 826.

827. Defendants deny the allegations of Paragraph 827.

⁶¹ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

COUNT IV⁶²

828. Defendants incorporate by reference their responses to Paragraphs 1–827. To the extent a further response is required, Defendants deny the allegations of Paragraph 828.

829. Defendants deny the allegations of Paragraph 829.

830. Defendants deny the allegations of Paragraph 830.

831. Defendants deny the allegations of Paragraph 831.

832. Defendants deny the allegations of Paragraph 832.

833. Defendants deny the allegations of Paragraph 833.

834. Defendants deny the allegations of Paragraph 834.

835. Defendants deny the allegations of Paragraph 835.

836. Defendants deny the allegations of Paragraph 836.

837. Defendants deny the allegations of Paragraph 837.

838. Defendants deny the allegations of Paragraph 838.

839. Defendants deny the allegations of Paragraph 839.

COUNT V⁶³

840. Defendants incorporate by reference their responses to Paragraphs 1–839. To the extent a further response is required, Defendants deny the allegations of Paragraph 840.

841. Defendants deny the allegations of Paragraph 841.

842. Defendants deny the allegations of Paragraph 842.

843. Defendants deny the allegations of Paragraph 843.

⁶² Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

⁶³ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

844. Defendants deny the allegations of Paragraph 844.

845. Defendants deny the allegations of Paragraph 845.

846. Defendants deny the allegations of Paragraph 846.

847. Defendants deny the allegations of Paragraph 847.

848. Defendants deny the allegations of Paragraph 848.

849. Defendants deny the allegations of Paragraph 849.

850. Defendants deny the allegations of Paragraph 850.

851. Defendants deny the allegations of Paragraph 851.

852. Defendants deny the allegations of Paragraph 852.

COUNT VI⁶⁴

853. Defendants incorporate by reference their responses to Paragraphs 1–852. To the extent a further response is required, Defendants deny the allegations of Paragraph 853.

854. Defendants deny the allegations of Paragraph 854.

855. Defendants deny the allegations of Paragraph 855.

856. Defendants deny the allegations of Paragraph 856.

857. Defendants deny the allegations of Paragraph 857.

COUNT VII⁶⁵

858. Defendants incorporate by reference their responses to Paragraphs 1–857. To the extent a further response is required, Defendants deny the allegations of Paragraph 858.

859. Defendants deny the allegations of Paragraph 859.

⁶⁴ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

⁶⁵ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

860. Defendants deny the allegations of Paragraph 860.

861. Defendants deny the allegations of Paragraph 861.

COUNT VIII⁶⁶

862. Defendants incorporate by reference their responses to Paragraphs 1–861. To the extent a further response is required, Defendants deny the allegations of Paragraph 862.

863. The Court’s March 25, 2026 Order on Defendants’ Motion to Dismiss, Doc. No. 147, dismissed the claim that is the subject of this paragraph; therefore, no response to Paragraph 863 is necessary. To the extent a response is required, Defendants deny the allegations of Paragraph 863.

864. The Court’s March 25, 2026 Order on Defendants’ Motion to Dismiss, Doc. No. 147, dismissed the claim that is the subject of this paragraph; therefore, no response to Paragraph 864 is necessary. To the extent a response is required, Defendants deny the allegations of Paragraph 864.

865. The Court’s March 25, 2026 Order on Defendants’ Motion to Dismiss, Doc. No. 147, dismissed the claim that is the subject of this paragraph; therefore, no response to Paragraph 865 is necessary. To the extent a response is required, Defendants deny the allegations of Paragraph 865.

866. The Court’s March 25, 2026 Order on Defendants’ Motion to Dismiss, Doc. No. 147, dismissed the claim that is the subject of this paragraph; therefore, no response to Paragraph 866 is necessary. To the extent a response is required, Defendants deny the allegations of Paragraph 866.

⁶⁶ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

VIII. PRAYER FOR RELIEF⁶⁷

The Government's Prayer for Relief does not contain allegations to which a response is required. To the extent a response is required, Defendants deny that the Government is entitled to any relief and, on that basis, denies any and all allegations in the Prayer for Relief.

IX. JURY DEMAND⁶⁸

The Government's Jury Demand does not contain allegations to which a response is required. To the extent a response is required, Defendants do not dispute that the Government has made a legal request for a jury trial, but Defendants deny that the Government is entitled to a trial by jury and, on that basis, deny any and all allegations in the Jury Demand.

AFFIRMATIVE DEFENSES

Defendants assert the following defenses. Defendants include in their list of defenses matters on which they do not bear the burden of proof and Defendants undertake the burden of proof only as to those defenses deemed affirmative defenses by law. Defendants will rely upon all affirmative or additional defenses that may become known to them or available during the course of this action, and reserve the right to amend this Answer to add additional defenses, counterclaims, or third party claims as may be appropriate. Further, Defendants reserve the right to assert any and all additional defenses on which it does not bear the burden of proof, whether listed below or not.

⁶⁷ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

⁶⁸ Defendants have included headings for organizational purposes only. To the extent any further response is required, Defendants deny the allegations in the headings of the Complaint.

FIRST DEFENSE

The Government fails to state a claim against Defendants upon which relief may be granted.

SECOND DEFENSE

The Government's claims are barred, in whole or in part, by government knowledge and/or the doctrines of consent, waiver, release, and/or ratification to the extent that the federal government, through the Medicare Advantage program, has reimbursed Defendants for providing Medicare Advantage coverage and failed to take any action despite their knowledge of the alleged conduct.

THIRD DEFENSE

The Government's claims are barred, in whole or in part, by the doctrines of estoppel and/or license to the extent that the federal government, through its role in regulating the Medicare Advantage program, implicitly or explicitly authorized Defendants' alleged conduct.

FOURTH DEFENSE

The Government's claims are barred, in whole or in part, by the voluntary payment doctrine.

FIFTH DEFENSE

The Government has suffered no damages as a result of the conduct alleged in the Complaint, eligible individuals received the Medicare coverage for which Defendants were compensated and CMS would have paid for those eligible enrollees in any other Medicare Advantage Plan.

SIXTH DEFENSE

The Government's claims are barred, in whole or in part, to the extent that the statutes it seeks to enforce, or the damages and penalties it seeks to recover, violate Defendants' constitutional rights, including under the Appointments, Vesting, Take Care, Excessive Fines, and Due Process clauses, or any other constitutional provision.

SEVENTH DEFENSE

The Government's asserted damages, if any, were caused in whole or in part by actions or inactions of parties other than Defendants or parties over whom Defendants had no authority to control.

EIGHTH DEFENSE

The Government's claims are barred, in whole or in part, because the alleged conduct of employees cannot be imputed to Defendants under the doctrine of respondeat superior.

NINTH DEFENSE

The Government's claims are barred, in whole or in part, because they rely upon ambiguous provisions of law and regulation, which cannot constitutionally be applied to support a False Claims Act lawsuit, and also because the rule of lenity requires such ambiguities to be resolved in Defendants' favor.

TENTH DEFENSE

The damages and penalties the Government seeks from Defendants should be offset to the extent that they overlap with the damages and penalties the Government seeks from other Defendants in this case or from Defendants in other cases.

ELEVENTH DEFENSE

The Government's claims are barred, in whole or in part, because Defendants' conduct was in compliance with, or authorized by, applicable laws, rules, and regulations.

TWELFTH DEFENSE

The Government's claims are barred, in whole or in part, because Defendants did not present or cause to be presented any false claim, record, or statement to the United States.

THIRTEENTH DEFENSE

The Government's claims are barred, in whole or in part, because Defendants' conduct did not cause or proximately cause any false claim or certification, or the alleged loss and/or damages.

FOURTEENTH DEFENSE

The Government's claims are barred, in whole or in part, because Defendants acted in good faith and without fraudulent intent to ensure compliance with applicable statutes or regulations, and it has been Defendants' policy to comply with all applicable laws and regulations.

FIFTEENTH DEFENSE

The Government's claims are barred, in whole or in part, because the Government has not adequately alleged that Defendants had knowledge of the false claims alleged.

SIXTEENTH DEFENSE

The Government's claims are barred, in whole or in part, because the Government cannot establish materiality to payment.

SEVENTEENTH DEFENSE

The Government's asserted damages, if any, were caused in whole or in part by a failure of the Government to mitigate its damages.

EIGHTEENTH DEFENSE

The Government's claims are barred, in whole or in part, because the Government did not rely, reasonably or otherwise, on any alleged misrepresentation, omission, deceptive act, unfair act, unconscionable act, or the like by Defendants.

NINETEENTH DEFENSE

The Government's claims are barred, in whole or in part, by the applicable statute of limitations.

Dated: May 22, 2026

Respectfully submitted,

WILLIAMS & CONNOLLY LLP

/s/ Holly M. Conley

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served upon all counsel of record via ECF on May 22, 2026.

/s/ Holly M. Conley
Holly M. Conley
Dated: May 22, 2026