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NEUROLOGICAL ASSOCIATES, P.C.;  
N EXPRESS P.C.; iNEUROLOGY, P.C. and  
BRUIN NEUROPHYSIOLOGY, P.C.

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
SOUTHERN DIVISION

ANTHEM BLUE CROSS LIFE AND  
HEALTH INSURANCE COMPANY, a  
California corporation, BLUE CROSS OF  
CALIFORNIA DBA ANTHEM BLUE  
CROSS, a California corporation,  
Plaintiff,

v.

HALOMD, LLC; ALLA LAROQUE;  
SCOTT LAROQUE; MPOWERHEALTH  
PRACTICE MANAGEMENT, LLC;  
BRUIN NEUROPHYSIOLOGY, P.C.;  
iNEUROLOGY, P.C.; N EXPRESS, P.C.;  
NORTH AMERICAN NEUROLOGICAL  
ASSOCIATES, P.C.; SOUND  
PHYSICIANS EMERGENCY  
MEDICINE OF SOUTHERN  
CALIFORNIA, P.C.; and SOUND  
PHYSICIANS ANESTHESIOLOGY OF  
CALIFORNIA, P.C.

Defendants.

Case No. 8:25-cv-01467-KES

Magistrate Judge: Karen E. Scott

**DEFENDANT  
MPOWERHEALTH PRACTICE  
MANAGEMENT, LLC'S  
NOTICE OF MOTION AND  
MOTION TO DISMISS UNDER  
FED. R. CIV. PRO. 12(B)(2)**

Hearing Date: March 10, 2026  
Hearing Time: 10:00 a.m.  
Courtroom: 6D

Honorable Karen E. Scott  
Magistrate Judge

1 PLEASE TAKE NOTICE THAT on March 10, 2026 at 10:00 a.m., or as  
2 soon thereafter as counsel may be heard, counsel will appear before the Honorable  
3 Karen E. Scott in Courtroom 6D of the United States District Court for the Central  
4 District of California, located at Ronald Reagan Federal Building and United States  
5 Courthouse, Santa Ana, located at 411 West 4<sup>th</sup> Street, Room 1053, Santa Ana, CA  
6 92701-4516.

7 Defendant MPOWERHealth Practice Management, LLC will and hereby  
8 does move this Court to dismiss Plaintiffs Anthem Blue Cross Life and Health  
9 Insurance Company, a California corporation, and Blue Cross of California DBA  
10 Anthem Blue Cross, a California corporation (“Anthem”)’s Amended Complaint.  
11 This motion is made pursuant to Federal Rule of Civil Procedure 12(b)(2) on the  
12 grounds that this Court lacks personal jurisdiction over Defendant  
13 MPOWERHealth Practice Management, LLC. This Motion will be based on this  
14 Notice of Motion, the concurrently filed Memorandum of Points and Authorities  
15 and Declaration of James L. Poth, the pleadings on file herein, and any further  
16 argument presented at the hearing of this Motion.

17 This Motion is made following the telephonic conference of counsel pursuant  
18 to L.R. 7-3, which took place on December 3, 2025. *See* Declaration of James L.  
19 Poth ¶¶ 3-4.

1 Dated: December 12, 2025

Respectfully submitted,

2 JONES DAY

3  
4  
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13 UNITED STATES DISTRICT COURT  
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15 SOUTHERN DIVISION

16 ANTHEM BLUE CROSS LIFE AND  
17 HEALTH INSURANCE COMPANY, a  
California corporation, BLUE CROSS OF  
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CROSS, a California corporation,

19 Plaintiff,

20 v.

21 HALOMD, LLC; ALLA LAROQUE;  
22 SCOTT LAROQUE; MPOWERHEALTH  
PRACTICE MANAGEMENT, LLC;  
23 BRUIN NEUROPHYSIOLOGY, P.C.;  
iNEUROLOGY, PC; N EXPRESS, PC;  
24 NORTH AMERICAN NEUROLOGICAL  
ASSOCIATES, PC; SOUND  
25 PHYSICIANS EMERGENCY  
MEDICINE OF SOUTHERN  
26 CALIFORNIA, P.C.; and SOUND  
PHYSICIANS ANESTHESIOLOGY OF  
CALIFORNIA, P.C.,

27 Defendants.  
28

Case No. 8:25-cv-01467-KES

**DEFENDANT  
MPOWERHEALTH PRACTICE  
MANAGEMENT, LLC'S  
MEMORANDUM OF POINTS  
AND AUTHORITIES IN  
SUPPORT OF MOTION TO  
DISMISS UNDER FED. R. CIV.  
PRO. 12(B)(2)**

Hearing Date: March 10, 2026  
Hearing Time: 10:00 a.m.  
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1 **I. INTRODUCTION**

2 Plaintiffs Anthem Blue Cross Life and Health Insurance Company and Blue  
3 Cross of California d/b/a Anthem Blue Cross (collectively “Anthem”)’s decision to  
4 assert every claim against every defendant underscores its broader strategy of  
5 intimidation rather than a measured pursuit of merit-based relief. In addition to the  
6 arguments set forth by Defendants Bruin Neurophysiology, P.C.; iNeurology, PC;  
7 N Express, PC; and North American Neurological Associates, P.C. (“Providers”) in  
8 their contemporaneously filed motion to dismiss for failure to state a claim under  
9 12(b)(6), MPOWERHealth Practice Management, LLC (“MPOWERHealth”) independently also moves to dismiss Anthem’s claims against it for lack of personal  
10 jurisdiction under Rule 12(b)(2).  
11

12 **II. THIS COURT LACKS PERSONAL JURISDICTION OVER**  
13 **MPOWERHEALTH.**

14 Rule 12(b)(2) permits a defendant to seek dismissal when a court lacks  
15 personal jurisdiction over them. Fed. R. Civ. P. 12(b)(2). This Court lacks  
16 personal jurisdiction over MPOWERHealth. Federal courts exercise the same  
17 personal jurisdiction as the courts of their forum state. Fed. R. Civ. P. 4(k).  
18 Personal jurisdiction comes in two varieties: general and specific. General  
19 jurisdiction exists where the defendant has “continuous and systematic” interactions  
20 with the forum state. *LNS Enterprises LLC v. Contl. Motors, Inc.*, 22 F.4th 852,  
21 859 (9th Cir. 2022) (quotation omitted). Specific jurisdiction “covers defendants  
22 that are less intimately connected with a state, but that have sufficient minimum  
23 contacts with the state that are relevant to the lawsuit.” *Id.*

24 Anthem does not allege that MPOWERHealth is incorporated or  
25 headquartered in California, or has any “continuous and systemic” contacts with  
26 California. Indeed, Anthem concedes that MPOWERHealth is incorporated in  
27 Delaware and is located in Addison, Texas. (First Amended Complaint (“FAC”),  
28 ///

¶ 17). Thus, there are no facts that could support general jurisdiction in this forum over MPOWER. *Id.*

As for specific jurisdiction, Anthem at most alleges that MPOWERHealth controls purported “subsidiaries” that operate in California and which submitted IDR disputes. FAC ¶ 140. But Anthem does not allege that MPOWERHealth itself participated in its subsidiaries’ medical procedures in California or in their IDR disputes in California. Tellingly, Anthem’s “wire fraud” examples do not even mention MPOWERHealth. *See* FAC ¶¶ 168–220.

If Anthem wants to drag MPOWERHealth into this forum, then, Anthem must demonstrate that MPOWERHealth’s “control” over any purported California subsidiaries alone gives rise to personal jurisdiction. Anthem cannot make that showing. Courts do not have personal jurisdiction over a parent company simply because it has personal jurisdiction over the parent’s subsidiary company. Instead, the Ninth Circuit has made clear that “as a general rule, where a parent and a subsidiary are separate and distinct corporate entities, the presence of one... in a forum state may not be attributed to the other...” *Holland Am. Line Inc. v. Wartsila N.A., Inc.*, 485 F.3d 450, 459 (9th Cir. 2007). The exception for rare instances where parent and subsidiary are alter egos exists only where (1) such unity of interest and ownership is present that the entities’ separate personalities no longer exist, and (2) maintaining their separate identities would result in fraud or injustice. *Williams v. Yamaha Motor Co.*, 851 F.3d 1015, 1021 (9th Cir. 2017). Anthem’s Amended Complaint does not even plead an alter ego theory. That alone warrants dismissal.

Nor has Anthem alleged anything that could support a viable alter ego theory. Anthem does not allege MPOWERHealth disregarded corporate formalities like separate recordkeeping, financial statements, or tax filings. *See Doe v. Unocal Corp.*, 248 F.3d 915, 927–28 (9th Cir. 2001), *abrogated on other grounds by Daimler AG v. Bauman*, 571 U.S. 117 (2014). Anthem does not allege that any of



1 MPOWERHealth’s purported subsidiaries are not financially independent or have  
2 the same financial assets. *See id.* Anthem does not allege that MPOWERHealth  
3 exerts direct and daily control over its subsidiaries’ operations. *See id.* True,  
4 Anthem alleges that certain MPOWERHealth employees also have roles at certain  
5 subsidiaries and that certain subsidiaries share a mailing address with  
6 MPOWERHealth. *See, e.g.,* FAC ¶¶ 19, 161. But these breadcrumbs are  
7 insufficient to plead an extraordinary alter ego theory. *See Unocal*, 248 F.3d at  
8 927–28 (holding that “an active parent corporation involved directly in decision-  
9 making about its subsidiaries’ holdings” did not create alter ego status). This Court  
10 thus lacks personal jurisdiction over MPOWERHealth.

11 To the extent Anthem asserts personal jurisdiction against MPOWERHealth  
12 under civil RICO’s and ERISA’s nationwide-service-of-process provisions, those  
13 claims fail for the reasons discussed in Providers’ contemporaneously filed motion  
14 to dismiss for failure to state a claim under Rule 12(b)(6) and thus cannot serve as a  
15 basis for personal jurisdiction. In addition, personal jurisdiction over an out-of-  
16 state MPOWERHealth does not serve the “ends of justice” for civil RICO because  
17 the allegations do not concern any California-related actions by it. 18 U.S.C.  
18 § 1965(b).

### 19 **III. CONCLUSION**

20 Emblematic of its broadbrush allegations asserted en masse against every  
21 Defendant, Anthem does not even attempt to allege that Defendant  
22 MPOWERHealth has sufficient contacts with California. This Court lacks personal  
23 jurisdiction over MPOWERHealth and should dismiss all claims against it with  
24 prejudice.

1 Dated: December 12, 2025

Respectfully submitted,

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24 NEUROPHYSIOLOGY, PC  
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**CERTIFICATE OF COMPLIANCE**

The undersigned, counsel of record for the Providers certifies that this brief contains 824 words, which complies with the word limit of L.R. 11-6.1.

Dated: December 12, 2025 JONES DAY

By: /s/Jame L. Poth

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PHYSICIANS ANESTHESIOLOGY OF  
CALIFORNIA, P.C.,

Defendants.

Case No. 8:25-cv-01467-KES

**[PROPOSED] ORDER  
GRANTING DEFENDANT  
MPOWERHEALTH'S MOTION  
TO DISMISS THE AMENDED  
COMPLAINT UNDER FED. R.  
CIV. PRO. 12 (B)(2)**

Hearing Date: March 10, 2026  
Hearing Time: 10:00 AM  
Courtroom: 6D

Honorable Karen E. Scott  
Magistrate Judge

1 This matter comes before the Court on Defendants MPOWERHealth Practice  
2 Management, LLC's Motion to Dismiss the Amended Complaint Under Fed. R.  
3 Civ. Pro. 12(B)(2).

4 This Court GRANTS Defendants MPOWERHealth Practice Management,  
5 LLC's Motion to Dismiss the Amended Complaint Under Fed. R. Civ. Pro.  
6 12(B)(2) and ORDERS that Plaintiffs Anthem Blue Cross Life and Health  
7 Insurance Company, a California corporation and Blue Cross of California DBA  
8 Anthem Blue Cross, a California corporation ("Anthem")'s Amended Complaint is  
9 dismissed with respect to Defendant MPOWERHealth Practice Management, LLC  
10 in its entirety with prejudice.

11 IT IS SO ORDERED

12  
13 Dated:

\_\_\_\_\_  
14 The Honorable Karen E. Scott  
15 Magistrate Judge  
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