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

21 UNITED STATES DISTRICT COURT
22 CENTRAL DISTRICT OF CALIFORNIA
23 SOUTHERN DIVISION

24 ANTHEM BLUE CROSS LIFE AND
25 HEALTH INSURANCE COMPANY, a
26 California corporation, BLUE CROSS OF
27 CALIFORNIA DBA ANTHEM BLUE
28 CROSS, a California corporation,
Plaintiff,

v.

12 HALOMD, LLC; ALLA LAROQUE;
13 SCOTT LAROQUE; MPOWERHEALTH
14 PRACTICE MANAGEMENT, LLC;
15 BRUIN NEUROPHYSIOLOGY, P.C.;
16 iNEUROLOGY, P.C.; N EXPRESS, P.C.;
17 NORTH AMERICAN NEUROLOGICAL
18 ASSOCIATES, P.C.; SOUND
19 PHYSICIANS EMERGENCY
20 MEDICINE OF SOUTHERN
21 CALIFORNIA, P.C.; and SOUND
22 PHYSICIANS ANESTHESIOLOGY OF
23 CALIFORNIA, P.C.

24 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 4th 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.

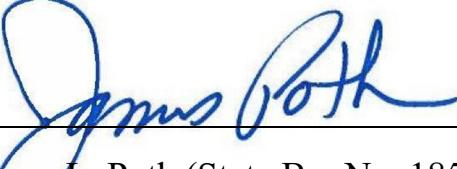
17 This Motion is made following the telephonic conference of counsel pursuant
18 to L.R. 7-3, which took place on December 3, 2025. *See* Declaration of James L.
19 Poth ¶¶ 3-4.

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1 Dated: December 12, 2025

2 Respectfully submitted,

3 JONES DAY

4 By: 

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NORTH AMERICAN NEUROLOGICAL
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25 PHYSICIANS EMERGENCY
MEDICINE OF SOUTHERN
CALIFORNIA, P.C.; and SOUND
26 PHYSICIANS ANESTHESIOLOGY OF
CALIFORNIA, P.C.,

Defendants.

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
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Honorable Karen E. Scott
Magistrate Judge

CASE NO. 8:25-cv-01467-KES

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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”)
10 independently also moves to dismiss Anthem’s claims against it for lack of personal
11 jurisdiction under Rule 12(b)(2).

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 ///

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

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

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

24 Nor has Anthem alleged anything that could support a viable alter ego
25 theory. Anthem does not allege MPOWERHealth disregarded corporate formalities
26 like separate recordkeeping, financial statements, or tax filings. *See Doe v. Unocal*
27 *Corp.*, 248 F.3d 915, 927–28 (9th Cir. 2001), *abrogated on other grounds by*
28 *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.

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1 Dated: December 12, 2025

2 Respectfully submitted,

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1 **CERTIFICATE OF COMPLIANCE**

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

4
5 Dated: December 12, 2025 JONES DAY

6
7 By: /s/James L. Poth

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40 CALIFORNIA, P.C.,

41 Defendants.

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

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

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

52 Honorable Karen E. Scott
53 Magistrate Judge

54 CASE NO. 8:25-CV-01467-KES

55 [PROPOSED] ORDER GRANTING MOTION TO DISMISS 12(B)(2)

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

Dated:

The Honorable Karen E. Scott
Magistrate Judge