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15 Attorneys for Defendants
16 MPOWERHEALTH PRACTICE
17 MANAGEMENT, LLC; NORTH AMERICAN
18 NEUROLOGICAL ASSOCIATES, PC;
19 N EXPRESS PC; iNEUROLOGY, PC and
20 BRUIN NEUROPHYSIOLOGY, PC

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.

29 HALOMD, LLC; ALLA LAROQUE;
30 SCOTT LAROQUE; MPOWERHEALTH
31 PRACTICE MANAGEMENT, LLC;
32 BRUIN NEUROPHYSIOLOGY, P.C.;
33 iNEUROLOGY, PC; N EXPRESS, PC;
34 NORTH AMERICAN NEUROLOGICAL
35 ASSOCIATES, PC; SOUND
36 PHYSICIANS EMERGENCY
37 MEDICINE OF SOUTHERN
38 CALIFORNIA, P.C.; and SOUND
39 PHYSICIANS ANESTHESIOLOGY OF
40 CALIFORNIA, P.C.,

41 Defendants.

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

43 **DECLARATION OF JAMES
44 L. POTH IN SUPPORT OF
45 DEFENDANTS**
46 **MPOWERHEALTH PRACTICE
47 MANAGEMENT, LLC; BRUIN
48 NEUROPHYSIOLOGY, PC;
49 iNEUROLOGY, PC;
50 N EXPRESS ASSOCIATES, PC;
51 AND NORTH AMERICAN
52 NEUROLOGICAL
53 ASSOCIATES, PC'S MOTIONS
54 TO DISMISS AND JOINDER**

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

58 Honorable Karen E. Scott
59 Magistrate Judge

1 I, James L. Poth, do hereby declare and state as follows:

2 1. I am an attorney licensed to practice law in the Central District of
3 California. I am partner at the law firm Jones Day, representing Defendants
4 MPOWERHealth Practice Management, LLC; Bruin Neurophysiology, P.C.;
5 iNeurology, PC; N Express, PC; and North American Neurological Associates, PC
6 in the instant action.

7 2. This Declaration is being submitted in support of the following
8 motions in the above-captioned matter: (1) Defendants MPOWERHealth Practice
9 Management, LLC; Bruin Neurophysiology, P.C.; iNeurology, PC; N Express, PC;
10 and North American Neurological Associates, PC's Motion to Dismiss for Failure
11 to State a Claim Under Fed. R. Civ. Pro. 12(B)(6); (2) Defendant MPOWERHealth
12 Practice Management, LLC's Motion to Dismiss for Failure to State a Claim Under
13 Fed. R. Civ. Pro. 12(B)(2); and (3) Defendants MPOWERHealth Practice
14 Management, LLC; Bruin Neurophysiology, P.C.; iNeurology, PC; N Express, PC;
15 and North American Neurological Associates, PC's Notice of Motion to Join in the
16 Special Motions to Strike Pursuant to Cal. Cod. Civ. Proc. § 425.16 Filed By (A)
17 Defendants HaloMD, LLC, Alla LaRoque, and Scott LaRoque; and (B) Sound
18 Physicians.

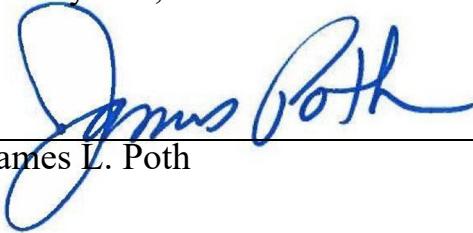
19 3. On December 3, 2025, counsel for all Defendants in this action
20 telephonically met and conferred with counsel for Plaintiffs Anthem Blue Cross
21 Life and Health Insurance Company ("Anthem") as required by L.R. 7-3. At this
22 meeting, Defendants told Plaintiffs that Anthem's Amended Complaint fails to state
23 a sufficient claim for relief per Fed R. Civ. Pro. 12(b)(6). Defendants' counsel
24 raised that the Amended Complaint's allegations are improperly predicated on
25 activity protected by California's litigation privilege, and also failed under Fed. R.
26 Civ. Pro. 12(b)(1), collateral estoppel, and Rule 9(b). Defendants' counsel also
27 addressed that Anthem's allegations improperly infringe upon Defendants'
28 constitutional right to petition for redress, and should therefore be stricken per

1 California's Anti-SLAPP statute. Defendants' counsel also raised that Defendants
2 intend to move to dismiss Anthem's claims for the same reasons raised in
3 Defendants HaloMD, Alla LaRoque and Scott LaRoque's Motions to Dismiss
4 Anthem's Amended Complaint, filed in Civil Case No. 1:25-cv-00388-MWM in
5 the United States District Court Southern District of Ohio, Western Division.

6 4. At the December 3, 2025 meet and confer, Anthem disagreed with
7 Defendants' characterization of Anthem's Amended Complaint. The parties were
8 unable to reach a resolution.

9 I declare under penalty of perjury of the laws of the United State of America
10 that the foregoing is true and correct.

11 Executed on December 12, 2025 in Emeryville, California.

12 By: 
13 James L. Poth

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