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Attorneys for Defendants  
MPOWERHEALTH PRACTICE  
MANAGEMENT, LLC; NORTH AMERICAN  
NEUROLOGICAL ASSOCIATES, PC;  
N EXPRESS PC; iNEUROLOGY, PC and  
BRUIN NEUROPHYSIOLOGY, PC

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, PC; N EXPRESS, PC;  
NORTH AMERICAN NEUROLOGICAL  
ASSOCIATES, PC; 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

**DECLARATION OF JAMES  
L. POTH IN SUPPORT OF  
DEFENDANTS  
MPOWERHEALTH PRACTICE  
MANAGEMENT, LLC; BRUIN  
NEUROPHYSIOLOGY, PC;  
iNEUROLOGY, PC;  
N EXPRESS ASSOCIATES, PC;  
AND NORTH AMERICAN  
NEUROLOGICAL  
ASSOCIATES, PC'S MOTIONS  
TO DISMISS AND JOINDER**

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

Honorable Karen E. Scott  
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.

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13 By:  \_\_\_\_\_

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