

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FRANCESCO GARGANO, MD,

Plaintiff,

v.

ELEVANCE HEALTH, INC. f/k/a ANTHEM, INC.,

Defendant.

Docket No.: 1:25-cv-08924

**NOTICE OF VOLUNTARY DISMISSAL  
WITHOUT PREJUDICE**

**MEMO ENDORSED**

Plaintiff, Francesco Gargano, MD, by and through its undersigned attorneys, pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, hereby voluntarily dismisses the above-captioned action against Defendant, Elevance Health, Inc. f/k/a Anthem, Inc., without prejudice. Each party shall bear their own costs.

February 13, 2026

GOTTLIEB & GREENSPAN, LLC  
*Attorneys for the Plaintiff*

By: /s/ Rachael E. Banks  
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The Clerk of Court is directed to lift the stay, terminate all pending motions, adjourn all remaining dates, and close this case.

Dated: February 17, 2026  
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE