

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

AMERICAN HOSPITAL ASSOCIATION and  
HEALTH FORUM LLC,

Plaintiffs,

v.

PATIENTRIGHTSADVOCATE.ORG, INC.

Defendant.

Case No. 1:25-cv-15137

Judge Martha M. Pacold

**JOINT INITIAL STATUS REPORT**

**1. Nature Of The Case:**

**A. Attorneys Of Record:**

- Plaintiffs American Hospital Association (AHA) and Health Forum LLC:

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- Defendant PatientRightsAdvocate.org, Inc. (PRA):

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**B. Nature Of The Claims:**

**1. Plaintiffs' Claims:**

- Plaintiff AHA alleges that it holds a registered copyright in the *Official UB-04 Data Specifications Manual (UB-04 Manual)*—which contains codes for hospital billing (and commentary on how to use them), and which AHA licenses to users (through its subsidiary, Plaintiff Health Forum). AHA alleges that licensees—including Defendant PRA—agree in their license agreements not to share the *UB-04 Manual* with others and not to contest its copyright protection.
- AHA alleges that PRA has violated and/or threatened imminently to violate its legal obligations under federal copyright law and its license agreement. By letter to AHA, PRA stated that it “has purchased access to” the *UB-04 Manual* “and plans to make the *Manual* freely available online to the public at large.” PRA’s letter contested AHA’s copyright protection in the *UB-04 Manual* and requested that AHA forswear taking “legal action against PRA for making the *Manual* publicly available online,” or else PRA will “consider litigation.”
- AHA and Health Forum bring three claims against Defendant PRA: (1) copyright infringement, (2) breach of the license agreement’s confidentiality provisions, and (3) anticipatory breach of the license agreement’s no-contest provision.

**2. Depending on the resolution of PRA’s motion to dismiss, PRA may file counterclaims that include the following.**

- PRA may allege it is entitled to a declaratory judgment that (1) it is not copyright infringement for PRA to make the *Manual* publicly available, (2) that it is not breach of contract for PRA to make the *Manual* publicly available, (3) that it is not breach of contract for PRA to bring

litigation against AHA challenging the validity of AHA's asserted copyrights in the *Manual*, (4) the licensing agreement's no-contest and confidentiality clauses are invalid and unenforceable, and (5) making the *Manual* publicly available would be fair use.

- PRA may allege that AHA's use of the no-contest and confidentiality clauses of its standard licensing agreement to restrict access to the *Manual* and inflate its price constitutes monopolization and attempted monopolization under both the Sherman Act, 15 U.S.C. §2, and the Illinois Antitrust Act, 740 ILCS 10/3(3).

**C. Major Legal And Factual Issues:**

- Whether the *UB-04 Manual* is protected by a valid and enforceable copyright.
- Whether PRA's threatened publication is fair use.
- Whether PRA's publication of the *UB-04 Manual* would breach its contractual obligation not to distribute the *UB-04 Manual* to any third parties.
- Whether PRA's threat to challenge the *UB-04 Manual*'s copyright protection in litigation would breach its contractual obligation not to contest AHA's rights in and ownership of the *UB-04 Manual* and, if so, whether those provisions are valid and enforceable.

**D. Relief Sought By Plaintiffs:**

Plaintiffs' complaint seeks the following relief:

- Plaintiffs' actual damages or Defendant's profits under 17 U.S.C. § 504(b).
- Statutory damages under 17 U.S.C. § 504(c).
- Damages for any breach of the license agreement.
- A permanent injunction against Defendant's publication of the *UB-04 Manual* to third parties.
- A declaration that Defendant's publication of the *UB-04 Manual* to third parties would violate the Copyright Act and the license agreement.
- A declaration that any attempt by Defendant to challenge the *UB-04 Manual*'s copyright protection would violate the license agreement.
- An award of Plaintiffs' reasonable attorneys' fees, costs of suit, and interest.
- Any other and further relief as the Court may deem just and proper.

**2. Jurisdiction:**

**A. Federal-Question Jurisdiction:**

- Plaintiffs assert that federal-question jurisdiction exists under 28 U.S.C. §§ 1331 and 1338(a) over Plaintiffs' claim arising under federal copyright law (Count I).

**B. Diversity And Supplemental Jurisdiction:**

- Plaintiffs assert that supplemental jurisdiction exists under 28 U.S.C. § 1367(a) over Plaintiffs' state-law breach-of-contract claims (Counts II and III) because those claims are so related to the federal-law claims that they form part of the same case or controversy and derive from the same common nucleus of operative facts.
- Plaintiffs assert that diversity jurisdiction exists over all claims.
  - Plaintiffs assert that PRA's threats to publish the *UB-04 Manual* and to contest the *UB-04 Manual's* copyright protection puts more than \$75,000 in controversy, including the potential harm to the market for the *UB-04 Manual* from its disclosure and expenses incurred due to Defendant's breach of the no-contest provision.
  - Plaintiffs assert that the parties' citizenship is completely diverse.
    - Plaintiff AHA is an Illinois non-profit corporation with its principal place of business at 155 N. Wacker Drive, Suite 400, Chicago, Illinois, 60606.
    - Plaintiff Health Forum LLC is a wholly owned subsidiary of the AHA and is an Illinois limited-liability company with its principal place of business at 155 N. Wacker Drive, Suite 400, Chicago, Illinois, 60606.
    - Defendant PRA is incorporated under Massachusetts law. PRA is in the process of moving to Florida but its principal place of business is currently 1188 Centre Street, Newton, Massachusetts, 02459.

**3. Status Of Service:**

The only defendant (PRA) was served on December 18, 2025.

**4. Consent To Proceed Before A United States Magistrate Judge:**

- A. Counsel have advised the parties that they may proceed before a Magistrate Judge if they consent unanimously.
- B. There is not unanimous consent to proceed before a Magistrate Judge.

**5. Motions:**

- A. There are no pending motions.
- B. PRA plans to respond to the complaint with a motion to dismiss. The Court previously granted PRA's unopposed motion (Doc. 24) to extend the deadline to respond to the complaint to and including February 13, 2026. Doc. 27. Per the Court's Motion Procedures, the parties have conferred and agreed upon a joint proposed briefing schedule for PRA's forthcoming motion to dismiss, which will be submitted in or contemporaneously with PRA's motion.
- C. PRA also plans to file a motion to take judicial notice simultaneously with its motion to dismiss. Per the Court's Motion Procedures, the parties have conferred and agreed that briefing on the motion for judicial notice will proceed on the same schedule as the motion to dismiss.

**6. Status Of Settlement Discussions:**

- A. No settlement discussions have occurred.
- B. The parties do not request a settlement conference.

Dated: February 6, 2026

Respectfully submitted.

/s/ Jonathan C. Bond

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