

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE: ZELIS REPRICING ANTITRUST
LITIGATION

This Document Relates To:

All Actions

Lead Action Case No.: 1:25-cv-10734-BEM

Consolidated with Case Nos.:

1:25-CV-11092-BEM

1:25-CV-11167-BEM

1:25-CV-11537-BEM

DECLARATION OF SCOTT HICKS

I, Scott Hicks, declare:

1. I am a legal specialist at Elevance Health, Inc. f/k/a Anthem, Inc.. I have worked for Elevance Health for over twenty years, performing roles in customer service, data processing, claims research, and other tasks. In the regular course of performing my work responsibilities, I have access to certain Elevance Health's business records, including contracts with health care providers.

2. I have personal knowledge of the facts stated in this declaration and would, if called as a witness, competently testify to those facts. I am submitting this declaration in support of Elevance Health Inc.'s Motion to Compel Arbitration and Stay Proceedings (the "Motion").

3. Elevance Health, Inc. ("Elevance Health") is the ultimate parent company of Blue Cross of California d/b/a Anthem Blue Cross ("Anthem Blue Cross").

4. Anthem Blue Cross administers and provides health care benefits for millions of members who are enrolled in Anthem Blue Cross's commercial and government health care programs in California.

5. To help members save money on health care costs and find providers for its members, Anthem Blue Cross develops and maintains a network of hospitals, doctors, and other health care

providers in California. Health care providers become part of Anthem Blue Cross's network by entering into contracts with Anthem Blue Cross that, among other things, set the terms for the parties' handling of claims and the amount that will be paid to providers for health care services rendered to Anthem members. Providers participating in Anthem Blue Cross's network are also known as "contracted" providers. In some cases, Anthem Blue Cross supplements its provider network by contracting with vendors who have assembled their own networks of providers. One such vendor is American Specialty Health ("ASH"), which assembled a specialty network of contracted chiropractors for use by its customers, including payors such as Anthem Blue Cross.

6. Attached hereto as **Exhibit 1** is a true and correct copy of the Chiropractic Provider Services Agreement ("PSA") with American Specialty Health Plans of California, Inc. that Elevance Health received from ASH.

7. Attached hereto as **Exhibit 2** is a true and correct copy of the PSA with American Specialty Health Networks of California, Inc..

8. Attached hereto as **Exhibit 3** are the signature pages to Exhibit 1 and Exhibit 2, signed by Plaintiff Bachuoa on July 14, 2010, and by ASH on August 26, 2010.

9. Attached hereto as **Exhibit 4** is the April 15, 2013 vendor agreement between Anthem and ASH.

10. Exhibits 1-4 contain Anthem Blue Cross's competitively sensitive reimbursement arrangements, financial terms, and pricing as well as third-party ASH's competitively sensitive information. If the contents of these contracts were made public, including competitors and other providers with whom Anthem Blue Cross and ASH negotiate, Anthem Blue Cross and ASH would suffer substantial harm to their competitive position.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Woodland Hills, California, on August 11, 2025.


