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April 14, 2026

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VIA ELECTRONIC DELIVERY AND COURT FILING

The Honorable Katharine H. Parker
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 750
New York, New York 10007

Re: United States v. Anthem, Inc., 1:20-cv-02593-ALC-KHP

Dear Judge Parker:

Pursuant to the Court's November 14, 2025 Scheduling Order (Dkt. 421), the parties write jointly to respectfully propose the following agenda for the April 21, 2026 case management conference ("Conference"):

I. Discovery Updates

- a. Anthem expects to begin producing medical records in response to the Government's Sixth Set of Requests for Production, which seek medical records for a sample of Anthem beneficiaries, in advance of the Conference.
- b. The parties are meeting and conferring regarding the Government's Seventh Set of Requests for Production to which Anthem served its responses and objections on March 23, 2026.
- c. On March 25, 2026, the Government served a new, Eighth Set of Requests for Production on Anthem, which seek documents following up on the deposition testimony of Anthem's former Director of Senior Risk & Recovery, Kim Bresnan. Anthem's responses and objections are due on April 24, 2026.
- d. On April 3, 2026, Anthem served its First Set of Interrogatories which seek discovery related to (1) the recent "Notice of Imposition of Intermediate Sanctions" that the Centers for Medicare and Medicaid Services issued to Anthem on February 27, 2026, and (2) medical record audits that the Government conducted of diagnosis codes that Anthem submitted to the Medicare Advantage program during the period at issue. Anthem also served its corresponding Second Set of Requests for Documents, which seek discovery related to the "Notice of Imposition of Intermediate Sanctions." The Government's responses and objections are due on May 4, 2026.



- e. The parties have also agreed that depositions taken in *United States ex rel. Poehling v. UnitedHealth Group, Inc., et al.*, Case No. 2:16-cv-08697-FMO-PVC (C.D. Cal.) and *United States ex rel. Osinek v. Kaiser Permanente et al.*, N. D. Cal., Case No. 3:13-cv-03891 (EMC) (N. D. Cal.), as well as examinations that the Government took in response to Civil Investigative Demands before the complaint in this case was filed, will be useable in this case under Federal Rule of Civil Procedure 32(a). The parties are negotiating a stipulation that memorializes this agreement.
- f. Since the last case management conference, the parties have conducted two additional fact depositions. The parties have scheduled an additional four depositions in advance of the Court's April 30, 2026 deadline to complete depositions noticed pursuant to Federal Rule of Civil Procedure 30(b)(1).
- g. The parties will serve before the Conference their responses and objections to their respective notices of deposition pursuant to Federal Rule of Civil Procedure 30(b)(6).

II. Discovery Disputes

- a. In accordance with the Court's March 18, 2026 Order (Dkt. 448), the parties filed position statements regarding the assertion of privilege by Anthem and Verscend, Inc. over communications with Verscend's former Senior Vice President for Coding, Deborah Bradley, and the Government's request that the Court direct Ms. Bradley to provide further deposition testimony related to her meeting with Anthem's counsel and her own counsel in preparation for her deposition.
- b. In accordance with the Court's April 6, 2026 Order (Dkt. 459), Anthem will file today its position statement requesting discovery regarding the Government audits of medical records that were also reviewed as part of Anthem's corporate retrospective chart review program. The Government will file its position statement opposing Anthem's request on April 17, 2026.
- c. In accordance with the Court's April 14, 2026 Order (Dkt. 469), by April 17, 2026, the parties will submit position statements regarding the Government's request that the Court direct Anthem Executive Vice President Peter Haytaian to testify in this matter.



Dated: April 14, 2026

Respectfully submitted,

By: /s/ James A. Bowman

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