

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

PRESIDING: JUDGE J. BOONE BAXTER
LAW CLERK: JENNIFER ORGERON/CHRISTOPHER PIEL
ECRO/COURTROOM DEPUTY: NICOLE PEAVY
INTERPRETER:

HEALTH CARE SERVICE CORPORATION, A MUTUAL LEGAL RESERVE COMPANY Plaintiff v.	§ § § § § § § § § §	Case No. 5:26-CV-22-RWS-JBB
NEUROMONITORING ASSOCIATES, LLC, PHYSICIAN OVERSIGHT, LLC AND MONITORING ASSOCIATES LLC Defendants.		

August 11, 2026 10:00 am
Motion to Dismiss Hearing

Counsel for Government: Geoff Culbertson, Lindsay Dreyer, John Harting
Counsel for Defendant: John Pickett, Asseret Frausto, Matthew Knowles

10:00	Case called. Attorney announcements.
10:03	Mr. Knowles argues Motion to Dismiss. Mr. Knowles discusses vacatur of arbitration and the prongs. Mr. Knowles discusses kickback claims and standing.
10:25	Mr. Knowles discusses fraud claims and false certification claims. Mr. Knowles discusses Texas Codes.
10:36	Mr. Knowles discusses RICO claims.
10:47	Court discussion with Mr. Knowles.
10:52	Mr. Harting responds and discusses fraud claims and vacatur.
11:08	Mr. Harting continues reviewing vacatur regarding undue means and exceeding their powers.
11:16	Mr. Harting reviews fraud kickback claims and standing.
11:24	Court questions Mr. Harting regarding position on disclosure of fraud. Reviews kickback and reader claims.

11:33	Mr. Harting discusses misrepresentations. Mr. Harting discusses Plaintiff's claims of kickback fraud in the First Amended Complaint.
11:45	Plaintiff's counsel reviews the RICO claims.
11:56	Court discusses reader claims and possible misrepresentations with the forms submitted.
12:00	Mr. Harting discusses damages.
12:07	Counsel notes Counts 2, 4, 6, 8 and 10 subject to <i>HaloMD</i> ruling.
12:12	Mr. Knowles replies and discusses vacatur with the three-prong process.
12:17	Court discusses the <i>Boeing</i> case regarding fraud and standing.
12:18	Mr. Knowles addresses the fraud claims and reader claims. He then addresses the RICO allegations.
12:26	Mr. Harting responds regarding standing, vacatur and their objections regarding the arbitrations identified in the Amended Complaint.
12:31	Mr. Knowles responds regarding kickback claims.
12:33	Adjourn.