

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION**

Case No. 9:25-cv-80526-MIDDLEBROOKS/MATTHEWMAN

GOOD SAMARITAN MEDICAL
CENTER, INC., et al.,

Plaintiffs,

v.

THE LEAPFROG GROUP,

Defendant.

JOINT STIPULATION REGARDING PARTIES' EXHIBITS

Plaintiffs Good Samaritan Medical Center, Delray Medical Center, Palm Beach Gardens Medical Center, St. Mary's Medical Center, and West Boca Medical Center (the "Community Hospitals") and Defendant The Leapfrog Group ("Leapfrog"), by and through their respective counsel, hereby file this Joint Stipulation Regarding Parties' Exhibits.

WHEREAS, on December 15, 2025, the parties filed their Joint Pretrial Stipulation, identifying exhibits each party intends to offer at trial;

WHEREAS, in that Joint Pretrial Stipulation, the parties agreed to ask the Court to admit into evidence at the beginning of trial all exhibits to which neither party objects, as well as all exhibits on the parties' Joint Exhibit List;

WHEREAS, following the submission of the Joint Pretrial stipulation, the parties have continued to meet and confer to attempt to resolve as many disputes as possible;

THE PARTIES HEREBY AGREE AS FOLLOWS: The objections to certain exhibits are withdrawn or revised, as detailed in Part I below; the Court is asked to admit into evidence at the beginning of trial all exhibits for which no objections remain in Part I below; and certain exhibits will not be offered at trial, as detailed in Part II below.

I. OBJECTIONS TO EXHIBITS

The parties hereby withdraw their objections to the following exhibits and therefore agree and stipulate to move the Court to admit into evidence at the beginning of trial each of the following exhibits:

Exhibit No.	Bates	Date	Description	Expect to Offer	Current Objections
PX-204.0	ARMSTRONG_0003563 - ARMSTRONG_0003579	5/23/2025	Email from Unknown to Missy Danforth, Thomas Duff, and Alexandra Campione re: CONFIDENTIAL WITH COUNSEL - FW: Missing Data.pptx	May	None
PX-345.0	LEAPFROG00323939 - LEAPFROG00323941	11/15/2024	Email from Sarah Farinelli to Lauren Bailey, et al. re: Fall 2024 Hospital Safety Grade Media Coverage Report, Day 1	Yes	None
PX-350.0	LEAPFROG00328567 - LEAPFROG00328573	11/22/2024	Email from Sarah Farinelli to Lauren Bailey, et al. re: For Leapfrog Team: Hospital Safety Grade Coverage Report - Week 1	Yes	None
PX-364.0	PBHN000002095 - PBHN000002102	12/10/2024	Email from Maggie Gill to Sheri Montgomery, Shelly Weiss, and Regina West re: How scary is THIS?	Yes	None
PX-423.0	LEAPFROG00539902 - LEAPFROG00539912	5/1/2025	Messages between Karen Jupiter and Lauren Bailey	Yes	None
PX-423.1	LEAPFROG00539902 - LEAPFROG00539912	5/1/2025	Messages between Karen Jupiter and Lauren Bailey	Yes	None
PX-423.2	LEAPFROG00539902 - LEAPFROG00539912	5/1/2025	Messages between Karen Jupiter and Lauren Bailey	Yes	None
PX-426.0	LEAPFROG00394764 - LEAPFROG00394776	5/1/2025	Email from L. Hailesilassie to L. Bailey, et al. with subject "Approval to Share Final Stat Document with Fierce"	Yes	None
PX-441.1	LEAPFROG01225303 - LEAPFROG01225306	5/13/2025	Email from Missy Danforth to Ralph Johnson re: Outstanding invoice	Yes	None

Exhibit No.	Bates	Date	Description	Expect to Offer	Current Objections
PX-508.1	N/A - N/A	12/3/2025	A Template Release - FINAL	Yes	None
PX-508.3	N/A - N/A	12/3/2025	Straight A Press Release Template Fall 2025 - FINAL	Yes	None
PX-508.5	N/A - N/A	12/3/2025	B Template Release Spreadsheet	Yes	None
PX-818.0	N/a - N/a	5/15/2019	Leapfrog Form 990 - 2018 - The Leapfrog Group	Yes	None
PX-819.0	N/a - N/a	7/1/2020	Leapfrog Form 990 - 2019 - The Leapfrog Group	Yes	None
PX-820.0	N/a - N/a	5/14/2021	Leapfrog Form 990 - 2020 - The Leapfrog Group	Yes	None
PX-821.0	N/a - N/a	5/12/2022	Leapfrog Form 990 - 2021 - The Leapfrog Group	Yes	None
PX-822.0	N/a - N/a	5/15/2023	Leapfrog Form 990 - 2022 - The Leapfrog Group	Yes	None
PX-823.0	N/a - N/a	5/14/2024	Leapfrog Form 990 - 2023 - The Leapfrog Group	Yes	None
PX-824.0	N/a - N/a	4/10/2025	Leapfrog Form 990 - 2024 - The Leapfrog Group	Yes	None
DX-212	PBHN000002104-127	5/17/2025	LF Description: 2025-05-17 [25] Declaration of Heather Havericak with Exhibits to Declaration	May	None
DX-213	PBHN000002128-154	5/17/2025	2025-05-17 [27] Declaration of Sheri Montgomery with Exhibits to Declaration	May	None
DX-214	PBHN000002155-181	5/17/2025	2025-05-17 [23] Declaration of Erik Cazares with Exhibits to Declaration	Yes	None
DX-215	PBHN000002182-206	5/17/2025	2025-05-17 [24] Declaration of Jerad Hanlon with Exhibits to Declaration	Yes	None

Exhibit No.	Bates	Date	Description	Expect to Offer	Current Objections
DX-216	PBHN000002207-234	5/17/2025	2025-05-17 [26] Declaration of Cynthia McCauley with Exhibits to Declaration	Yes	None
DX-625	PBHN000004973	12/1/2024	Approved Leapfrog statement.docx	Yes	None
DX-627	PBHN000006386-88	12/6/2024	2024-12-06 Email thread between West, Montgomery, and Ramirez RE "FW: Leapfrog Scores." Internal forward to Montgomery	Yes	None
DX-634	PBHN000005290-91	12/10/2024	2024-12-10 Email from Regina West to Sheri Montgomery RE: Leap Frog Projected Grades and attached Leap Frog Fall 2024_What if Scenarios.xlsx	Yes	None
DX-639	PBHN000011358	12/11/2024	2024-12-11 Email from Gill to Montgomery re: Leapfrog	Yes	None
DX-663	PBHN000007226-28	3/5/2025	3/5/2025 Email from Andrea Nunes to Jerad Hanlon FW: Spring 2025 Leapfrog Hospital Safety Grade Review Period Now Open	Yes	None
DX-680	PBHN000008188	5/1/2025	2025-05-01 Email from Montgomery to Thielk re FW: Palm Beach Health Network Leapfrog Safety Scores	Yes	None

Leapfrog hereby revises the objections it is lodging against the following exhibits:

Exhibit No.	Bates	Date	Description	Expect to Offer	Current Objections
PX-335.0	LEAPFROG00062385 - LEAPFROG00062386	9/30/2024	Inaccurate Imputed Score #107227	May	R, UP, H
PX-516.0	LEAPFROG00072767 - LEAPFROG00072772	N/A	Group Support Form Submission - Hospital Safety Grade	May	H, R, UP

The Community Hospitals hereby revise the objections they are lodging against the following exhibits:

Exhibit No.	Bates	Date	Description	Expect to Offer	Current Objections
DX-635	PBHN000006404-05	12/10/2024	2024-12-10 Email from Regina West to Ricardo Ramirez RE: Leap Frog Projected Calculations with attached Fall 2024_What if Scenarios.xlsx	Yes	R, T/M, PK, F
DX-692	PBHN000008050	5/7/2025	7/5/2025 Email from May Ruth Bautista to Heather Havericak and other Tenet Employees with subject: Facebook Recommendation: Delray Medical Center -[#99921]	Yes	R, T, H, PK, F

II. WITHDRAWN EXHIBITS

The parties agree and stipulate the following exhibits will not be offered at trial:

Exhibit No.	Bates	Date	Description	Expect to Offer	Current Objections
PX-801.0	N/a - N/a	10/17/2002	Leapfrog Form 990 - 2001 - The Leapfrog Group	No	N/a
PX-802.0	N/a - N/a	11/7/2003	Leapfrog Form 990 - 2002 - The Leapfrog Group	No	N/a
PX-803.0	N/a - N/a	11/9/2004	Leapfrog Form 990 - 2003 - The Leapfrog Group	No	N/a
PX-804.0	N/a - N/a	11/21/2005	Leapfrog Form 990 - 2004 - The Leapfrog Group	No	N/a
PX-805.0	N/a - N/a	11/21/2006	Leapfrog Form 990 - 2005 - The Leapfrog Group	No	N/a

Exhibit No.	Bates	Date	Description	Expect to Offer	Current Objections
PX-806.0	N/a - N/a	11/21/2007	Leapfrog Form 990 - 2006 - The Leapfrog Group	No	N/a
PX-807.0	N/a - N/a	11/18/2008	Leapfrog Form 990 - 2007 - The Leapfrog Group	No	N/a
PX-808.0	N/a - N/a	11/9/2009	Leapfrog Form 990 - 2008 - The leapfrog Group	No	N/a
PX-809.0	N/a - N/a	11/19/2010	Leapfrog Form 990 - 2009 - The Leapfrog Group	No	N/a
PX-810.0	N/a - N/a	11/17/2011	Leapfrog Form 990 - 2010 - The Leapfrog Group	No	N/a
PX-811.0	N/a - N/a	8/2/2012	Leapfrog Form 990 - 2011 - The Leapfrog Group	No	N/a
PX-812.0	N/a - N/a	11/15/2013	Leapfrog Form 990 - 2012 - The Leapfrog Group	No	N/a
PX-813.0	N/a - N/a	5/19/2014	Leapfrog Form 990 - 2013 - The Leapfrog Group	No	N/a
PX-814.0	N/a - N/a	5/12/2015	Leapfrog Form 990 - 2014 - The Leapfrog Group	No	N/a
PX-815.0	N/a - N/a	5/12/2016	Leapfrog Form 990 - 2015 - The Leapfrog Group	No	N/a
PX-816.0	N/a - N/a	5/11/2017	Leapfrog Form 990 - 2016 - The LeapfrogGroup	No	N/a

Exhibit No.	Bates	Date	Description	Expect to Offer	Current Objections
PX-817.0	N/a - N/a	5/11/2018	Leapfrog Form 990 - 2017 - The Leapfrog Group	No	N/a

Dated: January 9, 2025

Respectfully submitted,

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By: /s/ Jeffrey Marcus

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