

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN**

URIEL PHARMACY HEALTH AND
WELFARE PLAN; URIEL PHARMACY,
INC.; HOMETOWN PHARMACY; AND
HOMETOWN PHARMACY HEALTH and
WELFARE BENEFITS PLAN, on their own
behalf and on behalf of all others similarly
situated,

Plaintiffs,

v.

ADVOCATE AURORA HEALTH, INC. and
AURORA HEALTH CARE, INC.,

Defendants.

Case No. 2:22-cv-610

**PLAINTIFFS' OBJECTIONS AND MOTION
TO FILE UNDER RESTRICTED ACCESS**

Plaintiffs Uriel Pharmacy Health and Welfare Plan, Uriel Pharmacy, Inc., Hometown Pharmacy, and Hometown Pharmacy Health and Welfare Benefits Plan ("Plaintiffs"), respectfully move the Court for leave to file certain documents under restricted access. In support of this motion ("Motion"), Plaintiffs state as follows:

1. This Motion seeks to preliminarily restrict confidential documents that *other* parties contend contain reference to, or discussion of, confidential business information about the parties, until the Court rules on any motion filed by the producing parties or the 21-day period for filing such a motion has expired. The Protective Order governing the confidentiality designations of documents produced in this lawsuit stipulates that "[f]ilings with the Court referencing or attaching

any information, document, or other material” with confidentiality designations “shall comply with General L.R. 79.” ECF 66 at ¶ 18.

2. The documents subject to this Motion are being filed restricted pursuant to a Court-approved protective order, ECF 66. Plaintiffs’ position on the sealing (support, objection, or no position) to the continued sealing of the documents or materials is explained in Charts A and B below.

3. Where Plaintiffs object to the continued sealing of a document, such objection reflects Plaintiffs’ position that the designating party likely cannot demonstrate good cause for withholding the document from the public record. Good cause exists where a document contains a trade secret, is covered by a recognized privilege, or contains information required by statute to be maintained in confidence. General L.R. 79(d)(3); *Baxter Int’l, Inc. v. Abbott Lab’ys.*, 297 F.3d 544, 546 (7th Cir. 2002); *Love v. Med. Coll. of Wis.*, 2020 WL 13199737, at *1 (E.D. Wis. June 29, 2020). A confidentiality designation under a protective order is insufficient on its own to establish good cause. *Love*, 2020 WL 13199737, at *1.

4. This Motion pertains to two categories of documents: documents produced by Defendants Advocate Aurora Health, Inc. and Aurora Health Care Inc. (“AAH”) and documents produced by various third parties (“Third Parties”).

DOCUMENTS PRODUCED BY AAH

5. Chart A below identifies the AAH documents that Plaintiffs are preliminarily filing under seal, along with a description of the general nature of the information withheld from the public record, pursuant to Local Rule 79(d)(2).

6. Chart A also identifies Plaintiffs’ position as to the continued sealing of the document.

CHART A AAH Documents Designated Confidential		
Ex. to Opposition ¹	General Nature	Plaintiffs' Position
1	Expert Report of Jeffrey J. Leitzinger, Ph.D. dated November 21, 2025	Object
2	Expert Rebuttal Report of Jeffrey J. Leitzinger, Ph.D. dated March 23, 2026	Object
3	Expert Report of Patrick S. Romano, M.D., M.P.H. dated November 21, 2025	Object
4	Managed Care Overview (AAHEDWI00450873)	Object
5	Advocate Aurora Health Future Back: Core Team Working Session (AAHEDWI00756315)	Object
6	Transcript of Jim Skogsbergh's deposition dated June 26, 2025	Object
8	The SEIU's Untruths (AAHEDWI01571755-56)	Object
9	Ed Howe to Tim Sheehy dated September 14, 2005 (AAHEDWI01585711)	Object
10	Email from Ed Howe to Mark Amborius dated September 15, 2005 (AAHEDWI01585715)	Object
11	Expert Rebuttal Report of David Dranove, Ph.D. dated March 23, 2026	Object
12	Transcript of Jeffrey Leitzinger's depositions dated April 20, 2026	Object
13	Transcript of Richard Klein's deposition dated May 9, 2025	Object
16	Transcript of Jonathan Orszag's deposition dated March 5, 2026	Object
17	Expert Report of Patrick S. Romano, M.D., M.P.H. dated November 21, 2025	Object
18	Transcript of Louis Rossiter's deposition dated April 17, 2026	Object
19	Expert Rebuttal Report of Patrick S. Romano, M.D., M.P.H. dated March 23, 2026	Object
23	Expert Report of Jonathan Orszag dated January 20, 2026	Object

¹ "Ex. to Opposition" refers to the Exhibit number given to the document in the Declaration of Sarah Zimmerman, filed in support of Plaintiffs' Opposition to Defendants' Motion to Exclude Opinions Offered by Jeffrey Leitzinger.

26	Email from Titus Muzi to Richard Klein dated December 4, 2018 (AAHEDWI00573958-64)	Object
27	Redefining Value: The 4Square & its Impact on Advocate Aurora North and the Business Community (AAHEDWI00311317-23)	Object
28	Metro Milwaukee Health Care: Studies On Costs How We Can Turn the Tide (AAHEDWI01587785-09)	Object
29	Mercer Study (AAHEDWI01501491-502)	Object
30	Transcript of the deposition of Titus Muzi dated June 2, 2025	Object
32	Transcript of Jeff Anderson 30(b)(6) deposition dated June 11, 2025	Object

7. Plaintiffs made a good faith attempt to avoid this motion or to limit the scope of the documents or materials subject to sealing under the motion. Specifically, beginning on May 19, 2026, Plaintiffs reached out to AAH to advise that they were going to be filing materials designated as confidential by AAH, and that they wished to confer on the matter. Plaintiffs subsequently provided AAH with a list of preliminary documents to be filed under seal, and conferred through several communications to discuss the scope of the restricted filing and ask AAH to withdraw the disputed confidentiality designations. During this process, AAH withdrew some confidentiality designations, which reduced the scope of the documents and materials subject to this motion. Where Plaintiffs object to the continued sealing of a document, Plaintiffs have provided that objection to AAH, pursuant to Local Rule 79(d)(7).

DOCUMENTS PRODUCED BY THIRD PARTIES

8. Chart B below identifies the Third Party documents that Plaintiffs are preliminarily filing under seal, along with a description of the general nature of the information withheld from the public record, pursuant to Local Rule 79(d)(2).

9. Where a document is only designated as partially confidential, Plaintiffs are filing a public, redacted version.

10. Chart B also identifies Plaintiffs position as to the continued sealing of the document.

CHART B			
Third Party Documents Designated Confidential			
Ex. to Daubert.	General Nature	Plaintiffs' Position	Custodian / Third Party
24	Questions About BCBSIL 025485 – BCBSIL 025506 (BSBSILData000001-02)	Support	Blue Cross & Blue Shield of Illinois
25	Email from Thomas Hardy to Yinka Onayemi dated May 5, 2025	Support	Blue Cross & Blue Shield of Illinois
33	Transcript of Andrea Lathers's 30(b)(6) deposition on May 27, 2025	Support	Anthem

11. Beginning on April 29, 2026, Plaintiffs reached out to the Third Parties to advise that they were going to be filing materials that they designed as confidential, and that it wished to confer on the matter pursuant to Rule 79(d)(4).

12. Plaintiffs provided the Third Parties with lists of the documents to be filed under seal, and conferred through several communications (both by email and through live conversation) to discuss the scope of the restricted filing. During this process, the Third Parties withdrew several confidentiality designations, which reduced the scope of the documents and materials subject to this motion. Plaintiffs do not object to the continued sealing of the Third Parties' documents in Chart B.

CONCLUSION

WHEREFORE, Plaintiffs respectfully request that the Court: (1) grant them leave to preliminarily file the documents in Charts A and B as restricted only to the parties; (2) rule on the

objections set forth in Charts A and B; and (3) grant them any other relief the Court deems just and appropriate.

Dated: August 3, 2026

Respectfully submitted,

/s/ Sarah Zimmerman

Sarah Zimmerman

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ADVOCATE AURORA HEALTH, INC. and
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Case No. 2:22-cv-610

**[PROPOSED] ORDER GRANTING PLAINTIFFS' MOTION
TO FILE UNDER RESTRICTED ACCESS**

On August 3, 2026, Plaintiffs Uriel Pharmacy Health and Welfare Plan, Uriel Pharmacy, Inc., Hometown Pharmacy, and Hometown Pharmacy Health and Welfare Benefits Plan (collectively, "Plaintiffs") filed a Motion to File Certain Documents Under Restricted Access in Connection with their Opposition to Defendants' Motion to Exclude the Opinions of Jeffrey Leitzinger.

THIS MATTER having come before the Court on Plaintiffs' Objections and Motions to File Under Restricted Access filed on August 3, 2026, and the Court having considered the motions and supporting materials filed in connection therewith, and good cause appearing therefore

IT IS ORDERED:

1. Plaintiffs' Opposition to Defendant's Motion to Exclude the Opinions of Jeffrey Leitzinger is GRANTED. Plaintiffs are granted leave to file under restricted access, limited to the parties, the following documents: (a) the unredacted version of Plaintiffs' Opposition to Defendants' Motion to Exclude the Opinions of Jeffrey Leitzinger; and (b) the documents identified in Charts A and B of that Motion, which consist of materials produced by Defendants Advocate Aurora Health, Inc. and Aurora Health Care, Inc. ("AAH") and materials produced by various third parties, each of which has been designated as confidential pursuant to the Court-approved Protective Order (ECF 66).

2. Access to the restricted documents shall be limited to the parties and their counsel of record.

3. Any party wishing to maintain the continued sealing of any document identified in Plaintiffs' motions shall file an appropriate motion consistent with the requirements of General Local Rule 79(d) and the Court-approved Protective Order. Absent a ruling from the Court that the materials can remain sealed, they will be unsealed.

4. To the extent any party objects to the continued sealing of a document as identified in Plaintiffs' motions, those objections shall be addressed upon any motion for continued sealing filed pursuant to Paragraph 4 above.

SO ORDERED this ____ day of _____, 2026.

Hon. Lynn Adelman
United States District Judge
Eastern District of Wisconsin