

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

GUARDIAN FLIGHT LLC, <i>et al.</i> ,	§	
	§	
<i>Plaintiffs,</i>	§	
v.	§	
	§	Civil Action No. 3:24-cv-00680-MPS
AETNA LIFE INSURANCE	§	
COMPANY, <i>et al.</i>	§	
	§	
<i>Defendants.</i>	§	

**AETNA’S NOTICE OF THE FIFTH CIRCUIT’S DENIAL OF
PETITION FOR REHEARING EN BANC IN HCSC**

In Plaintiffs’ response in opposition to Aetna’s motion for permission to file an interlocutory appeal under 28 U.S.C. § 1292(b), they note that “Plaintiff Guardian Flight is filing today a petition for rehearing *en banc*” in *Guardian Flight, L.L.C. v. Health Care Serv. Corp.*, 140 F.4th 271 (5th Cir. 2025). Resp. (Doc. 282) at 2 n.2 (filed June 26, 2025). Aetna files this notice to advise the Court that on July 10, the Fifth Circuit denied Guardian Flight’s petition for rehearing. A copy of the Fifth Circuit’s per curiam order is attached as Exhibit 1.

Respectfully submitted,

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COMPANY INC., AND AETNA HEALTH AND
LIFE INSURANCE CO.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was filed electronically on July 15, 2025. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt.

/s/ Jessica Wahl

Jessica Wahl

Exhibit

1

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

July 10, 2025

Lyle W. Cayce
Clerk

No. 24-10561

GUARDIAN FLIGHT, L.L.C.; MED-TRANS CORPORATION,

Plaintiffs—Appellants,

versus

HEALTH CARE SERVICE CORPORATION,

Defendant—Appellee.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:23-CV-1861

ON PETITION FOR REHEARING EN BANC

Before SMITH, CLEMENT, and DUNCAN, *Circuit Judges.*

PER CURIAM:

Treating the petition for rehearing en banc as a petition for panel rehearing (5TH CIR. R.40 I.O.P.), the petition for panel rehearing is DENIED. Because no member of the panel or judge in regular active service requested that the court be polled on rehearing en banc (FED. R. APP. P.40 and 5TH CIR. R.40), the petition for rehearing en banc is DENIED.

No. 24-10561

*Judge Carolyn Dineen King, and Judge Irma Carrillo Ramirez, did not participate in the consideration of the rehearing en banc.

General Information

Case Name	Guardian Flight LLC et al v. AETNA Life Insurance Company Inc et al
Court	U.S. District Court for the District of Connecticut
Date Filed	Thu Apr 11 00:00:00 EDT 2024
Judge(s)	Michael P. Shea
Federal Nature of Suit	Statutes: Other Statutory Actions [890]
Docket Number	3:24-cv-00680
Parties	AETNA Life Insurance Company Inc; Global Medical Response, Inc.; REACH Air Medical Services, LLC; CVS Pharmacy, Inc.; Cigna Health and Life Insurance Co.; Reach Air Medical Services LLC; Aetna Health Inc; Aetna Health and Life Insurance Company; CVS Health Corporation; Calstar Air Medical Services, LLC; Med-Trans Corporation; Air Evac EMS, Inc.; Guardian Flight LLC; AirMed International, LLC