

**IN THE UNITED STATES COURT OF FEDERAL CLAIMS**

HEALTH REPUBLIC INSURANCE  
COMPANY,

Plaintiff,  
on behalf of itself and all others  
similarly situated,

vs.

THE UNITED STATES OF AMERICA,

Defendant.

No. 1:16-cv-259-KCD  
(Judge Davis)

COMMON GROUND HEALTHCARE  
COOPERATIVE,

Plaintiff,  
on behalf of itself and all others  
similarly situated,

vs.

THE UNITED STATES OF AMERICA,

Defendant.

No. 1:17-cv-877-KCD  
(Judge Davis)

**OBJECTORS' MOTION FOR LEAVE TO ENTER APPEARANCE**

The undersigned counsel seek leave to enter appearances on behalf of the objecting members of the *Health Republic* and *Common Ground* Classes (the Objecting Class Members)<sup>1</sup> pursuant to RCFC 23(c)(2)(B)(iv) and Section 12 of the Class Notice.<sup>2</sup> *See also Haggart v. United States*, No. 1:09-cv-00103-CFL (Ct. Cl. October 11, 2017), ECF No. 322 (Lettow, J.)

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<sup>1</sup> The Class Members represented by counsel submitting this motion are identified on the signature block.

<sup>2</sup> "You have the right to have your own lawyer. Your own lawyer can appear in court for you if you want someone other than Class Counsel to speak on your behalf." (HR Dkt. 41-42; CG Dkt. 32-33.)

(“Pursuant to Rule 23(c)(2)(B)(iv), counsel for the moving class members may enter appearances on behalf of their members and may participate on their behalf in the hearing scheduled to be held on October 20, 2017.”).

The Objecting Class Members request to enter an appearance so that they can receive copies of documents that are filed in this matter. On May 5, 2023, this Court ordered Quinn Emanuel to serve Objecting Class Members with all filings related to the fee request. Specifically, the Court’s May 5, 2023 Order granting Class Counsel’s Motion to Seal provided, among other things, as follows:

Furthermore, neither the Motion to Seal nor the Motion for Attorney Fees contain certificates of service confirming that copies were served on Objector’s Counsel, who in this unique posture is not an attorney-of-record and may not receive service through the Court’s electronic-filing system. Class Counsel shall file such certificates of service **by no later than May 9, 2023**, and going forward shall append such certificates of service to any filings related to the fee request.

(HR Dkt. 195; CG Dkt. 188.)

Likewise, on August 21, 2020 this Court ordered that “Counsel for the objecting members will receive notice of further court orders and proceedings through counsel for the Non-Dispute Subclass.” *See* (HR Dkt. 90; CG Dkt. 115.)

Despite this Court’s Orders, on May 16 when Quinn Emanuel filed its Opposition to Objectors’ Motion for an Accounting and Discovery, it did not serve Objectors with copies of its filing (even though Class Counsel’s Certification filed with its Opposition stated that copies were served on Objectors electronically and by mail). *See* (HR Dkt. 202-3; CG Dkt. 192-3.)

In order to ensure Objectors’ Counsel timely receives notice of proceedings in this matter, they respectfully request that the Court enter appearances as provided in **Exhibit A**.

Dated: May 18, 2023

Respectfully submitted,



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## **EXHIBIT A**

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**NOTICE OF APPEARANCE**

TO: CLERK OF THE COURT

AND TO: ALL COUNSEL OF RECORD

Pursuant to the Court's Order (HR Dkt. \_\_; CG Dkt. \_\_), the undersigned members of the *Health Republic* and *Common Ground* Classes (the Objecting Class Members)<sup>1</sup> hereby make appearance in the above-entitled actions by and through the undersigned attorneys, and hereby

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<sup>1</sup> The Class Members represented by the undersigned counsel are identified on the signature block.

request that service of all further pleadings and papers in this cause be made upon the undersigned attorneys at their email addresses sated below.

Dated: \_\_\_\_\_

Respectfully submitted,



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*UnitedHealthcare of Pennsylvania, Inc., UnitedHealthcare of the Mid-Atlantic, Inc., UnitedHealthcare of the Midlands, Inc., UnitedHealthcare of the Midwest, Inc., UnitedHealthcare of Utah, Inc., UnitedHealthcare of Washington, Inc., UnitedHealthcare of Ohio, Inc., Rocky Mountain HealthCare Options, Inc., All Savers Insurance Company, and CareConnect Insurance Company, Inc. fka North Shore-LIJ Insurance Company Inc.*