

UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF TENNESSEE
 AT CHATTANOOGA

BLUECROSS BLUESHIELD OF)
 TENNESSEE, INC.,)
)
 Plaintiff,)
)
 v.)
)
 DAVID J. BETTENCOURT,)
 in His Official Capacity as Commissioner)
 of the New Hampshire Insurance)
 Department,)
)
 Defendant.)

No. 1:21- CV-00271- JRG-CHS

ORDER

This matter is before the Court on the parties’ Third Joint Notice Regarding Status of Unfair-Insurance-Practices Issue (“Third Notice”) [Doc. 92]. In their Third Notice, the parties indicate that they have agreed to certain terms to bring to a close the case that is before the Court. Because the Court agrees that the agreed-upon terms are likely to bring this matter to a close effectively and efficiently, the Court therefore **ORDERS** as follows:

(1) On or before November 16, 2023, the New Hampshire Insurance Department (“NHID”) will seek to reopen the underlying administrative enforcement action, solely for the purpose of the NHID amending its October 2021 Order to Show Cause and Notice of Hearing (“Show Cause Order”) to remove all claims that Bluecross Blueshield of Tennessee (“BCBST”) violated New Hampshire’s unfair- insurance-practices (“UIP”) law;

(2) Within seven (7) days after the NHID has reopened the underlying administrative enforcement action for that limited purpose, the NHID will file in the administrative proceedings

an amended Show Cause Order that removes all claims alleging that BCBST violated New Hampshire's UIP law;

(3) After the NHID files its amended Show Cause Order in the administrative proceedings, the NHID will, that same day or otherwise as soon as administratively practicable, reinstitute the stay of those proceedings, which shall remain in place through final resolution of this case on appellate review or otherwise; and

(4) Within seven (7) days of filing its amended Show Cause Order in the administrative proceedings and reinstating the stay of the administrative proceedings, the NHID will then file with this Court: (i) a copy of the docketed amended Show Cause Order, (ii) record evidence that the stay of the administrative proceedings has, in fact, been reinstated and will remain in place through final resolution of this case on appellate review or otherwise, and (iii) a request for the entry of final judgment so that BCBST may proceed to appeal.

So ordered.

ENTER:

s/J. RONNIE GREER
UNITED STATES DISTRICT
JUDGE