

**THE STATE OF NEW HAMPSHIRE  
INSURANCE DEPARTMENT**

**In re: Alieria Healthcare, Inc. (dba The Alieria Companies, Inc.)  
& Trinity Healthshare, Inc.**

**Docket No.: 19-027-EP  
20-014-EP  
20-015-EP**

**PREHEARING ORDER**

A telephonic prehearing conference was held in this matter pursuant to Ins RSA 541-A:31, V (c) and Ins 204.13 on April 8, 2020. Mary Bleier, Enforcement Counsel, and Joshua Hilliard, Associate Enforcement Counsel appeared on behalf of the New Hampshire Insurance Department (“Department”). Steven Lauwers, Esq., Michael Lewis, Esq. and Elizabeth Lacombe, Esq. appeared on behalf of Alieria Healthcare, Inc. (“Alieria”). Derek Bauer, Esq., Jacqueline Menk, Esq., and Michael A. Delaney, Esq. appeared on behalf of Trinity Healthshare, Inc. (“Trinity”). This Order will summarize the issues discussed at the prehearing conference.

The parties indicated that there have not yet been any stipulations to facts or issues, but are still open to the possibility of stipulations. The parties are directed to discuss settlement as well as opportunities for stipulations or simplification of the issues. The parties are encouraged to submit joint witness lists and exhibits and should consider submitting written testimony in lieu of calling witnesses where possible.

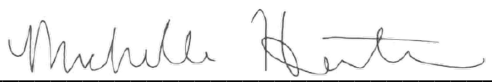
Alieria and Trinity both indicated that there were preliminary motions they intended to file regarding the Department’s jurisdiction. Alieria also stated that it has filed an action in Merrimack Superior Court contesting the Department’s subject matter jurisdiction in this matter.

Given the current public health emergency,<sup>1</sup> an in-person hearing will not be possible for the foreseeable future. Instead, the hearing will be conducted using video conferencing. All parties raised concerns about the feasibility of proceeding with a video hearing in May 2020. In light of the recent court filings and necessity to change the hearing to a video conferencing format, the hearing scheduled for May 4, 2020, and May 11, 2020, is continued along with all the prehearing deadlines set forth in the Prehearing Order issued December 23, 2019.

The parties shall file all preliminary motions relating to jurisdiction no later than May 1, 2020. Responses to all motions must be filed within 10 days of the filing of the motion in accordance with Ins 204.06 (g). The parties are also directed to confer and submit a proposed timeline for rescheduling the hearing which includes any anticipated preliminary hearings and filing deadlines no later than May 15, 2020.

SO ORDERED.

Date: April 9, 2020

  
Michelle Heaton, Hearing Officer

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<sup>1</sup> See New Hampshire Exec. Or. 2020-04 and 2020-05.