

STATE OF NORTH CAROLINA
COUNTY OF DURHAM

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
23 INS 00738

| | |
|---|---|
| <p>Blue Cross and Blue Shield of North Carolina Petitioner,</p> <p>v.</p> <p>North Carolina State Health Plan for Teachers and State Employees Respondent,</p> <p>and</p> <p>Aetna Life Insurance Company, Respondent-Intervenor.</p> | <p style="text-align: center;">AMENDED NOTICE OF HEARING G.S. 150B-23(b)</p> |
|---|---|

NOTICE IS HEREBY GIVEN that the Undersigned will conduct a hearing on the merits of this contested case as follows:

DATE: February 13 thru February 16, 2024
February 19 thru February 23, 2024

TIME: 9:00 AM

PLACE: NC Office of Administrative Hearings
Courtroom A
1711 New Hope Church Rd
Raleigh, North Carolina 27609

1. This hearing will be conducted in accordance with Chapter 150B of the North Carolina General Statutes and Title 26, Chapter 03 of the North Carolina Administrative Code. Unless otherwise determined by the Administrative Law Judge, the hearing will proceed in the following sequence:

- a. Call of the case
- b. Motions and other preliminary matters
- c. Stipulations, agreements, or consent orders entered into the record
- d. Opening statements
- e. Presentation of evidence; cross-examination
- f. Final arguments

2. All parties shall bring to the hearing all documents, records, and witnesses needed to present the party's case. If special equipment is required for the presentation of evidence, the parties are responsible for making arrangements for the equipment.

3. Subpoenas - Subpoenas may be available to the parties pursuant to 26 NCAC 3 .0114 to compel the attendance of witnesses or for the production of documents.

4. Exchange Of Exhibits - 5 Business Days - At least five (5) business days before the hearing begins, the parties shall electronically exchange marked exhibits and witness lists (with contact information) and email the Undersigned's law clerk copies of their marked exhibits and witness lists (with contact information).

5. 26 NCAC 03 .0118 Continuances states:

(a) Requests for a continuance of a hearing shall be granted upon a showing of good cause or extraordinary cause. Unless time does not permit, a request for a continuance of a hearing shall be made in writing to the administrative law judge and shall be served upon all parties of record. In determining whether good cause or extraordinary cause exists, due regard shall be given to the ability of the party requesting a continuance to proceed effectively without a continuance. **A request for a continuance filed within five days of a hearing shall be denied unless the reason for the request could not have been ascertained earlier.**

6. Notice of Cancellation of Hearing

THE PARTIES MUST NOTIFY THE OFFICE OF ADMINISTRATIVE HEARINGS OF THE CANCELLATION OF THE HEARING AT LEAST 24 HOURS BEFOREHAND.

This the 25th day of January, 2024.



Melissa Owens Lassiter
Administrative Law Judge

CERTIFICATE OF SERVICE

The undersigned certifies that, on the date shown below, the Office of Administrative Hearings sent the foregoing document to the persons named below at the addresses shown below, by electronic service as defined in 26 NCAC 03 .0501(4), or by placing a copy thereof, enclosed in a wrapper addressed to the person to be served, into the custody of the North Carolina Mail Service Center who subsequently will place the foregoing document into an official depository of the United States Postal Service:

Stephen D. Feldman

SFeldman@robinsonbradshaw.com

Matthew W. Sawchak

MSawchak@robinsonbradshaw.com

Nathan C. Chase Jr.

NChase@robinsonbradshaw.com

Douglas M Jarrell

DJarrell@robinsonbradshaw.com

Benjamin C DeCelle

BDecelle@robinsonbradshaw.com

Emily J Schultz

ESchultz@robinsonbradshaw.com

Erik R Zimmerman

Ezimmerman@robinsonbradshaw.com

Robinson, Bradshaw & Hinson, P.A.

Attorneys For Petitioner

Shannon R. Joseph

Morningstar Law Group

sjoseph@morningstarlawgroup.com

Attorney For Petitioner

Aaron Douglas Vodicka Esq.

North Carolina State Health Plan for

Teachers and State Employees

aaron.vodicka@nctreasurer.com

Attorney For Respondent SHP

Marc C Hewitt

mhewitt@foxrothschild.com

Robert H Edmunds

bedmunds@foxrothschild.com

Elizabeth Sims Hedrick

ehedrick@foxrothschild.com

Fox Rothschild LLP

Attorneys For Respondent

Benjamin N. Thompson

bthompson@wyrick.com

Lee M Whitman

lwhitman@wyrick.com

Sophia V. Blair

sblair@wyrick.com

Wyrick Robbins Yates & Ponton LLP

Attorneys for Respondent-Intervenor

This the 25th day of January, 2024.



Lisa J Garner

North Carolina Certified Paralegal

N. C. Office of Administrative Hearings

1711 New Hope Church Road

Raleigh, NC 27609-6285

Phone: 984-236-1850