

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>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 12 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 before the hearing begins, the parties shall electronically exchange marked exhibits and witness lists (with contact information) and email the Undersigned's paralegal copies of their marked exhibits and witness lists (with contact information).

5. 26 NCAC 03 .0118 Continuances

(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.

SO ORDERED, the 19th day of December, 2023.



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:

Attorneys For Petitioner

Stephen D. Feldman
Robinson, Bradshaw & Hinson PA
SFeldman@robinsonbradshaw.com

Matthew W. Sawchak
Robinson, Bradshaw & Hinson PA
MSawchak@robinsonbradshaw.com

Nathan C. Chase Jr.
Robinson, Bradshaw & Hinson PA
NChase@robinsonbradshaw.com

Shannon R. Joseph
Morningstar Law Group
sjoseph@morningstarlawgroup.com

Attorneys for Respondent

Aaron Douglas Vodicka
NC State Health Plan for Teachers and State Employees
aaron.vodicka@nctreasurer.com

Robert H Edmunds
Fox Rothschild LLP
bedmunds@foxrothschild.com

Elizabeth Sims Hedrick
Fox Rothschild LLP
ehedrick@foxrothschild.com

Marc C Hewitt
Fox Rothschild LLP
mhewitt@foxrothschild.com

Attorneys for Respondent-Intervenor

Benjamin N Thompson
Wyrick Robbins Yates & Ponton LLP
bthompson@wyrick.com

Lee M Whitman
Wyrick Robbins Yates & Ponton LLP
lwhitman@wyrick.com

Sophia V Blair
Wyrick Robbins Yates & Ponton LLP
sblair@wyrick.com

Matthew W. Sawchak
Robinson, Bradshaw & Hinson, P.A.
MSawchak@robinsonbradshaw.com

Douglas M Jarrell
Robinson, Bradshaw & Hinson, P.A.
DJarrell@robinsonbradshaw.com

Emily J Schultz
Robinson, Bradshaw & Hinson, P.A.
ESchultz@robinsonbradshaw.com

Nathan C. Chase Jr.
Robinson, Bradshaw & Hinson, P.A.
NChase@robinsonbradshaw.com

Benjamin C DeCelle
Robinson, Bradshaw & Hinson, P.A.
BDecelle@robinsonbradshaw.com

Erik R Zimmerman
Robinson, Bradshaw & Hinson, P.A.

EZimmerman@robinsonbradshaw.com

Attorney For Petitioner

Joel Heimbach

North Carolina State Health Plan, North Carolina Department of State Treasurer

Joel.Heimbach@nctreasurer.com

Respondent

Aaron Douglas Vodicka Esq.

North Carolina State Health Plan for Teachers and State Employees

aaron.vodicka@nctreasurer.com

Attorney For Respondent

Marc C Hewitt

Fox Rothschild

mhewitt@foxrothschild.com

Attorney For Respondent

Robert H Edmunds

Fox Rothschild LLP

bedmunds@foxrothschild.com

Attorney For Respondent

Elizabeth Sims Hedrick

Fox Rothschild LLP

ehedrick@foxrothschild.com

Attorney For Respondent

Benjamin N. Thompson

Wyrick Robbins Yates & Ponton LLP

bthompson@wyrick.com

Attorney for Respondent-Intervenor

Lee M Whitman

Wyrick Robbins Yates & Ponton, LLP

lwhitman@wyrick.com

Attorney for Respondent-Intervenor

Sophia V. Blair

Wyrick Robbins Yates & Ponton LLP

sblair@wyrick.com

Attorney for Respondent-Intervenor

This the 19th day of December, 2023.

D

Daniel Chunko

Law Clerk
N. C. Office of Administrative Hearings
1711 New Hope Church Road
Raleigh, NC 27609-6285
Phone: 919-431-3000