

STATE OF NORTH CAROLINA
COUNTY OF DURHAM

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
23 INS 00738

Blue Cross and Blue Shield of North Carolina Petitioner, v. North Carolina State Health Plan for Teachers and State Employees Respondent, And Aetna Life Insurance Company, Respondent-Intervenor.	SCHEDULING ORDER
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Upon consideration of the Parties' Proposed Scheduling Order and after having conferred with the Parties, the Undersigned issues the following Scheduling Order:

1. Hearing on the Merits

The hearing on the merits will be conducted **February 12-16, 2024**, and if necessary, **February 19-23, 2024** at the Office of Administrative Hearings in Raleigh, North Carolina.

2. Protective Order

The parties shall submit a proposed stipulated Protective Order, or in the absence of agreement, a proposed Order that indicates areas of disagreement, for this Tribunal's review within **fourteen calendar days** after entry of a Scheduling Order.

3. Production of Documents

The parties shall promptly meet and confer in good faith on the production of documents in response to any Request for Production of Documents, including the use of search terms and other parameters. Productions shall be made on a rolling basis and shall be completed on or before **May 26, 2023**.

a. Privilege logs for any documents withheld from production shall be provided on or before **June 9, 2023**.

b. Fact discovery shall be completed on or before **September 1, 2023**.

4. Disclosure of Experts

All expert disclosures shall include reports with all information required by Rule 26(b)(4)(a)(1) and (2) of the North Carolina Rules of Civil Procedure.

- a. Petitioner shall disclose its expert on or before **September 8, 2023**. Respondent and Respondent-Intervenor shall disclose its expert on or before **October 6, 2023**. Rebuttal reports shall be served on or before **October 20, 2023**.
- b. Expert depositions shall be completed on or before **November 3, 2023**.
5. Dispositive Motions
 - a. All dispositive motions and briefs in support shall be filed on or before **November 20, 2023**.
 - b. Briefs in opposition and/or response to any dispositive motion shall be filed on or before **December 20, 2023**.

Should the Tribunal deem it necessary to hold a hearing on dispositive motions, the hearing on such motions shall be held the **week of January 8, 2024**. A more definite Notice of Hearing will be issued at a later date.

6. Exchange of Exhibits, Witness List, and Issue List

The Parties shall exchange all exhibits, witness lists, and issue lists by e-mail no later than 5:00 p.m. on **February 5, 2024**.

7. Pretrial Order

The parties shall file a Pretrial Order with the Tribunal by 5:00 pm on **February 7, 2024**.

8. Proposed Final Decisions

The parties shall file proposed Final Decisions on or before **thirty (30) days** after the Parties receive the last hearing transcript.

9. Final Decision

The Undersigned shall issue a Final Decision in this case within **forty-five (45) days** after the Parties file their respective proposed Final Decisions.

SO ORDERED, this the 11th day of April, 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:

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This the 11th day of April, 2023.



Lisa J Garner
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