

1 **Lewis Roca Rothgerber Christie LLP**

201 East Washington Street, Suite 1200
Phoenix, Arizona 85004-2595

3 **Joel A. Glover** (CO Bar No. 20821) (*pro hac vice* pending)
Direct Dial: 303.628.9553
Direct Fax: 303.623.9222
Email: jglover@lrrc.com

4 **Justin J. Henderson** (State Bar No. 026930)
Direct Dial: 602.262.5738
Direct Fax: 602.734.3937
E-mail: jhenderson@lrrc.com

5 *Attorneys for Receiver*

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8 SUPERIOR COURT OF ARIZONA

9 COUNTY OF MARICOPA

10 STATE OF ARIZONA, *ex rel.*
11 LESLIE R. HESS, Interim Director
of Insurance,

12 Plaintiff,

13 vs.

14 COMPASS COOPERATIVE MUTUAL
HEALTH NETWORK, INC., dba
15 MERITUS MUTUAL HEALTH
PARTNERS, an Arizona corporation; and
16 COMPASS COOPERATIVE HEALTH
PLAN, INC., dba MERITUS HEALTH
17 PARTNERS, an Arizona corporation,

18 Defendants.

No. CV2016-011872

**ORDER RE PETITION NO. 1 -
PETITION FOR ENTRY OF
ORDER APPROVING
COMPENSATION FOR SPECIAL
DEPUTY RECEIVER AND FOR
LEGAL COUNSEL**

(Assigned to The Honorable
Daniel Martin)

19
20 Leslie R. Hess, as Receiver (hereinafter “Receiver”) of Compass Cooperative
21 Mutual Health Network, Inc. doing business as Meritus Mutual Health Partners and of
22 Compass Cooperative Health Plan, Inc. doing business as Meritus Health Partners
23 (collectively the “Meritus Companies”), having filed Petition No. 1 for Entry of Order
24 Approving Compensation for Special Deputy Receiver and for Legal Counsel (“Petition
25 No. 1”) and the Court being fully advised in the premises;

26 . . .

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Lewis Roca
ROTHGERBER CHRISTIE

1 **IT IS ORDERED:**

2 1. The compensation fixed by the Receiver for the engagement of Darren
3 Ellingson as Special Deputy Receiver as set forth in the engagement agreement attached
4 as Exhibit A to Petition No. 1 is hereby approved.

5 2. The compensation fixed by the Receiver for the engagement of Lewis Roca
6 Rothgerber Christie LLP as legal counsel as set forth in the engagement agreement
7 attached as Exhibit C to Petition No. 1 is hereby approved.

8 3. The Receiver's use of the funds or assets of the Meritus Companies,
9 respectively, to pay the compensation and expenses of Darren Ellingson and Lewis Roca
10 Rothgerber Christie LLP is hereby approved subject to the following:

11 a. After Darren Ellingson's itemized statements of services rendered to
12 the Receivership and costs incurred or expended on behalf of the Receivership have been
13 submitted to and approved by the Receiver, Deputy Receiver or Deputy Director of the
14 Arizona Department of Insurance, such reviewed and approved statements shall be paid
15 by the Receiver.

16 b. After Lewis Roca Rothgerber Christie LLP's itemized statements of
17 services rendered to the Receivership and costs incurred or expended on behalf of the
18 Receivership have been submitted to and approved by the Special Deputy Receiver and
19 then submitted to and approved by the Receiver, Deputy Receiver or Deputy Director of
20 the Arizona Department of Insurance, such reviewed and approved statements shall be
21 paid by the Receiver.

22 c. On a periodic basis to be determined by the Court with the initial
23 period being quarterly, the Receiver shall file a Petition to Accept Status Report including
24 a status report identifying the amount of compensation paid to the Special Deputy
25 Receiver and to legal counsel. Among other things, such status report shall include for
26 the prior period: total amounts paid during the period; total hours billed during the

1 period; total expenses paid during the period; a brief summary of services and/or tasks
2 performed during the period; and other matters as requested by the Court. Objections, if
3 any, to the Petition to Accept Status Report must be filed and served within fourteen (14)
4 days after such Petition is filed.

5 d. Any person that has entered an appearance herein and desiring
6 additional information concerning the services and costs paid under the Engagement
7 Agreements as reported to the Court in the Petition to Accept Status Report may, for
8 good cause shown, obtain redacted versions of fee statements from the Receiver by
9 delivering to the Special Deputy Receiver and the Receiver's counsel, a written request
10 for the redacted billings. Unless otherwise ordered by the Court, costs associated with
11 preparing and delivering such information shall be paid by the requesting person.

12 e. Upon request by the Court, the Receiver shall make available for *in*
13 *camera* review by the Court, the itemized statements and supporting documentation for
14 the services and costs identified under any periodic report.

15 f. Notwithstanding anything herein to the contrary, the Receiver
16 expressly reserves confidentiality, privileges and/or any other legal rights and/or
17 protections associated with any such statements, including, but not limited to, the
18 attorney-client privilege and work product doctrine and nothing herein is intended to limit
19 or waive any such rights.

20 ENTERED this ____ day of _____, 2016

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23 _____
The Honorable Daniel Martin
24 Maricopa County Superior Court Judge
25
26

eSignature Page 1 of 1

Filing ID: 7662754 Case Number: CV2016-011872
Original Filing ID: 7650840

Granted as Submitted



/S/ Daniel Martin Date: 8/22/2016
Judicial Officer of Superior Court

ENDORSEMENT PAGE

CASE NUMBER: CV2016-011872

SIGNATURE DATE: 8/22/2016

E-FILING ID #: 7662754

FILED DATE: 8/24/2016 8:00:00 AM

JUSTIN J HENDERSON

KIMBERLY ANNE DEMARCHI

LESLIE R HESS

LYNETTE EVANS

ROBERT F KETHCART

RICHARD VOTH
EM;PLOYERS HEALTH ALLIANCE OF ARIZONA
P.O. BOX 3970 PINETOP AZ 85935