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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. 10
APPROVING CONTINGENCY
FEE ARRANGEMENT FOR RISK
CORRIDOR SUIT**

(Assigned to The Honorable
Daniel Martin)

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20 Leslie R. Hess, Interim Director of the Arizona Department of Insurance, as
21 Receiver of Compass Cooperative Mutual Health Network, Inc. doing business as
22 Meritus Mutual Health Partners (“Meritus Mutual”) and Compass Cooperative Health
23 Plan, Inc., dba Meritus Health Partners (“MHP”), having filed Petition No. 10 for entry of
24 an Order Approving Contingency Fee Arrangement for Risk Corridor Suit and good
25 cause appearing therefor,

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Lewis Roca
ROTHGERBER CHRISTIE

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IT IS ORDERED:

1. Petition No. 10, Request for Approval of Contingency Fee Arrangement for Risk Corridor Suit is hereby granted.

2. Subject to and in accordance with the Receiver’s statutory authority and prior Order of this Court, the Receiver is considering various options related to prosecuting a Risk Corridor suit on behalf of Meritus Mutual and MHP, including: (1) commencing an individual suit in Claims Court subject to a contingency fee arrangement with a law firm that already has one or more similar action on file; (2) opting-in to the *Health Republic* Class Action; and (3) waiting to commence a suit pending the developments of the cases already on file. The options being considered by the Receiver include a contingency fee arrangement which rate is subject to approval by this Court.

3. Pursuant to A.R.S. § 10-623.01(A), the Court hereby approves a contingency fee rate associated with prosecution of claims for Risk Corridor payments on behalf of Meritus Mutual and MHP in the range of five percent (5%) to ten percent (10%) with respect to compensation for counsel as retained by the Receiver associated with the Risk Corridor claims, whether by prosecution of an individual lawsuit or opting-in to the Class Action.

4. The Receiver will submit a supplemental notice to the Court confirming the final contingency fee rate within the proposed range.

ENTERED this ____ day of _____, 2017.

The Honorable Daniel Martin
Maricopa County Superior Court Judge

eSignature Page 1 of 1

Filing ID: 8304799 Case Number: CV2016-011872
Original Filing ID: 8266113

Granted as Submitted



/S/ Daniel Martin Date: 5/3/2017
Judicial Officer of Superior Court

ENDORSEMENT PAGE

CASE NUMBER: CV2016-011872

SIGNATURE DATE: 5/3/2017

E-FILING ID #: 8304799

FILED DATE: 5/4/2017 8:00:00 AM

ANDREW ABRAHAM

JUSTIN J HENDERSON

LYNETTE EVANS

ROBERT F KETHCART

SAMUEL DAVID CHILDERS