

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**FAEGRE DRINKER BIDDLE & REATH LLP**  
1144 15<sup>th</sup> Street, Suite 3400  
Denver, Colorado 80202

**Joel A. Glover** (State Bar No. 034018)  
Direct Dial: 303.607.3648  
Direct Fax: 303.607.3600  
Email: [Joel.Glover@Faegredrinker.com](mailto:Joel.Glover@Faegredrinker.com)

Attorneys for Receiver

SUPERIOR COURT OF ARIZONA  
COUNTY OF MARICOPA

STATE OF ARIZONA, *ex rel.*  
EVAN G. DANIELS, Director  
of Insurance,

Plaintiff,

vs.

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

Defendants.

No. CV2016-011872

**ORDER RE PETITION NO. 50**

**ORDER APPROVING PETITION NO.  
50 – UNOPPOSED PETITION TO  
APPROVE SETTLEMENT WITH  
UNITED STATES RELATED TO  
CLAIMS UNDER AFFORDABLE  
CARE ACT**

(Assigned to The Honorable  
Daniel Martin)

Darren Ellingson, in his capacity as the Special Deputy Receiver of Compass Cooperative Mutual Health Network, Inc. doing business as Meritus Mutual Health Partners (“Meritus Mutual”) and Compass Cooperative Health Plan, Inc., dba Meritus Health Partners (“MHP”), having filed Petition No. 50, Unopposed Petition to Approve Settlement with United States Related to Claims under Affordable Care Act, and good cause appearing therefor,

...

1  
2 **IT IS ORDERED:**

3 1. The objection period to the Receiver’s Petition No. 50 – Unopposed Petition  
4 to Approve Settlement with United States Related to Claims under Affordable Care Act  
5 (the “Petition to Approve ACA Settlement”) having expired without objection or  
6 opposition being filed, the Petition to Approve ACA Settlement, and the related relief  
7 sought therein, is hereby granted in full and the Receiver is authorized to take all such  
8 necessary and appropriate steps, including but not limited to executing documents and  
9 filing pleadings, to implement the approval of such settlement and this Order.

10 2. The Stipulation for Entry of Partial Judgment Based on Compromise,  
11 Settlement and Resolution as to Two Members of the Dispute Subclass in substantially the  
12 same form as attached to Petition 50 as Exhibit A-1 to Exhibit A is hereby approved.

13 3. The Receiver is authorized to enter into, execute and implement, the  
14 Stipulation for Entry of Partial Judgment Based on Compromise, Settlement and  
15 Resolution as to Two Members of the Dispute Subclass in substantially the same form as  
16 attached to Petition 50 as Exhibit A-1 to Exhibit A and any related document consistent  
17 herewith, including taking all necessary and appropriate steps related thereto.

18 4. The allocation of the \$22,186,807 in settlement proceeds as proposed by the  
19 Receiver is approved consistent with the following:

- 20 a. MHP Risk Corridor Settlement Recovery equal to \$9,474,723;  
21 b. MHP Reinsurance Settlement Recovery equal to \$6,712,084;  
22 c. Meritus Mutual Risk Corridor Settlement Recovery equal to \$4,240,000; and  
23 d. Meritus Mutual Reinsurance Settlement Recovery equal to \$1,760,000.

24 5. The contingency fee payment to Risk Corridor Counsel associated with the  
25 Meritus Risk Corridor Settlement Recovery totaling \$13,714,723 at a rate of 5% equal to  
26 the amount of \$685,736 is approved and the Receiver is authorized to cause such  
27 contingency fee payment to be paid to Risk Corridor Counsel from the applicable  
28 settlement proceeds.



# eSignature Page 1 of 1

Filing ID: 14062501 Case Number: CV2016-011872  
Original Filing ID: 14039344

---

Granted as Submitted



/S/ Daniel Martin Date: 3/17/2022  
Judicial Officer of Superior Court

**ENDORSEMENT PAGE**

CASE NUMBER: CV2016-011872

SIGNATURE DATE: 3/17/2022

E-FILING ID #: 14062501

FILED DATE: 3/18/2022 8:00:00 AM

ANDREW ABRAHAM

JOEL GLOVER

LYNETTE EVANS

ROBERT F KETHCART