

NINETEENTH JUDICIAL DISTRICT COURT
PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA

JAMES J. DONELON, IN HIS OFFICIAL
CAPACITY AS COMMISSIONER OF INSURANCE
FOR THE STATE OF LOUISIANA AND
THE LOUISIANA DEPARTMENT OF INSURANCE
Plaintiff

NUMBER: 713794
SECTION: 22

VERSUS

JESSICA K. ALTMAN, IN HER CAPACITY AS STATUTORY
REHABILITATOR OF SENIOR HEALTH INSURANCE COMPANY
OF PENNSYLVANIA
AND
SENIOR HEALTH INSURANCE COMPANY OF PENNSYLVANIA, IN
REHABILITATION
Defendant

DECLINATORY EXCEPTIONS OF LACK OF PERSONAL JURISDICTION AND
LACK OF SUBJECT MATTER JURISDICTION AND
PEREMPTORY EXCEPTIONS OF RES JUDICATA, NO CAUSE OF ACTION AND
NO RIGHT OF ACTION FILED BY DEFENDANTS

NOW INTO COURT, through undersigned counsel, come Defendants, Jessica K. Altman, in her capacity as statutory rehabilitator of Senior Health Insurance Company and Senior Health Insurance Company of Pennsylvania, in rehabilitation (collectively, “SHIP”), and files the following exceptions: (1) Declinatory Exception of Lack of Personal Jurisdiction, (2) Declinatory Exception of Lack of Subject Matter Jurisdiction, (3) Peremptory Exception of Res Judicata, (4) Peremptory Exception of No Cause of Action, and (5) Peremptory Exception of No Right of Action (collectively “Exceptions”).

For the reasons outlined in SHIP’s opposition to Plaintiffs’ Motion for Preliminary Injunction, which is incorporated by reference, the Exceptions should be granted and SHIP prays that the Petition filed by Plaintiffs against SHIP be dismissed with prejudice.

WHEREFORE, SHIP prays that the Exceptions be sustained and that the Petition filed by Plaintiff against SHIP be dismissed with prejudice.

Respectfully submitted,

COZEN O'CONNOR

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/s/
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*Counsel to Defendant Jessica K. Altman
in her capacity as Statutory Rehabilitator of
Senior Health Insurance Company of Pennsylvania
in rehabilitation, and Defendant Senior Health Insurance
Company of Pennsylvania in Rehabilitation*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been e-mailed on
this 7th day of January, 2022, to the following:

David Rubin
David.Rubin@butlersnow.com
Counsel for Plaintiffs



Brandon K. Black

NINETEENTH JUDICIAL DISTRICT COURT
PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA

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RULE TO SHOW CAUSE

Considering the (1) Declinatory Exception of Lack of Personal Jurisdiction, (2) Declinatory Exception of Lack of Subject Matter Jurisdiction, (3) Peremptory Exception of Res Judicata, (4) Peremptory Exception of No Cause of Action, and (5) Peremptory Exception of No Right of Action (collectively, “Exceptions”) filed by Defendants, Jessica K. Altman, in her capacity as statutory rehabilitator of Senior Health Insurance Company and Senior Health Insurance Company of Pennsylvania, in rehabilitation (collectively, “SHIP”),

IT IS HEREBY ORDERED that Plaintiffs appear and show cause on the **25th day of January, 2022**, at 10:00 a.m. why the Exceptions should not be sustained.

Signed in Baton Rouge, Louisiana on this _____ day of January, 2022.

Judge Timothy Kelley
19th Judicial District Court

PLEASE SERVE:

Plaintiffs

Through their counsel of record:
David Rubin
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Baton Rouge, LA 70802

Defendants

Through their counsel of record:
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