

Lisa Edison-Smith

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August 22, 2017

The Honorable Donovan W. Frank
United States District Court
724 Federal Building
316 N. Robert Street
St. Paul, MN 55101

Re: Tovar v. Essentia Health, et al.
Case No.: 0:16-cv-00100-DWF-LIB
Our File No.: 036304.16094

Dear Judge Frank:

This letter is submitted on behalf of my clients, Essentia Health and Innovis Health, LLC (collectively "Essentia"), in response to the Court's order dated August 16, 2017, requesting input on the status of the above-captioned matter and how best to proceed forward.

As the Court is aware, on May 24, 2017, the Eighth Circuit Court of Appeals issued its decision dismissing all claims against Essentia. The court's decision reversed and remanded the district court's ruling only as it related to plaintiff's claims under the Affordable Care Act ("ACA") against HealthPartners, Inc. and HealthPartners Administrators, Inc. Accordingly, the only surviving claims for this court's consideration are against the HealthPartners defendants. Essentia is no longer a party to this action and respectfully requests to be removed from the case caption and pleadings going forward.

Very truly yours,



Lisa Edison-Smith
Labor and Employment Law Specialist,
Certified by the Minnesota State Bar Association

LES:vll

cc: Gender Justice: Christy L. Hall, Lisa C. Stratton
cc: Larson King, LLP: David M. Wilk, Stephanie Chandler
cc: Essentia Health

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