

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ATHENS DIVISION**

SKYLER MUSGROVE,	)
	)
Plaintiff,	)
	)
v.	)
	)
THE BOARD OF REGENTS OF THE	)
UNIVERSITY SYSTEM OF GEORGIA,	)
JAMES HULL, in his official capacity as Chair	)
of the Board of Regents of the University	)
System of Georgia, UNIVERSITY OF	)
GEORGIA, JERE MOREHEAD, in his official	)
capacity as President of the University of	)
Georgia, KARIN ELLIOT, in her official	)
capacity as Interim Vice Chancellor of Human	)
Resources of the University System of Georgia,	)
BLUE CROSS BLUE SHIELD	)
HEALTHCARE PLAN OF GEORGIA, INC.,	)
METROPOLITAN LIFE INSURANCE	)
COMPANY, and METLIFE, INC.,	)
	)
Defendants.	)
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CASE NO.  
3:18-00080-CDL

**DEFENDANT BLUE CROSS BLUE SHIELD HEALTHCARE PLAN  
OF GEORGIA, INC.’S MOTION FOR LEAVE TO FILE SUR-REPLY BRIEF**

Pursuant to Local Rule 7.3.1, Defendant Blue Cross Blue Shield Healthcare Plan of Georgia, Inc (“BCBS”) hereby moves for leave to file a sur-reply brief in response to Plaintiff’s February 8, 2019 brief. At the February 6, 2019 hearing on the pending motions to dismiss, the Court instructed Plaintiff to file a list of previously uncited cases that Plaintiff’s counsel cited at the hearing. Plaintiff submitted this list along with arguments, some of which were not previously briefed or raised to the Court. To respond to Plaintiff’s arguments and newly cited cases, BCBS requests leave to file a concise sur-reply brief. BCBS proposes to file such a brief by Tuesday, February 19, 2019.

Respectfully submitted this 12th day of February, 2019.

/s/ James A. Washburn

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Counsel for Blue Cross Blue Shield  
Healthcare Plan of Georgia, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that on February 12, 2019, I filed the foregoing Motion for Leave to File Sur-Reply Brief via the Court's CM/ECF system, which will serve a copy on all counsel of record.

*/s/ James A. Washburn* \_\_\_\_\_

Counsel for Blue Cross Blue Shield  
Healthcare Plan of Georgia, Inc.