

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
HUNTINGTON DIVISION**

**CHRISTOPHER FAIN; ZACHARY  
MARTELL; BRIAN MCNEMAR, SHAWN  
ANDERSON a/k/a SHAUNTAE ANDERSON;  
and LEANNE JAMES, individually and on  
behalf of all others similarly situated,**

**Plaintiffs,**

**Civil Action No. 3:20-cv-00740  
Hon. Robert C. Chambers, Judge**

**v.**

**WILLIAM CROUCH, in his official capacity as  
Cabinet Secretary of the West Virginia  
Department of Health and Human Resources;  
CYNTHIA BEANE, in her official capacity as  
Commissioner for the West Virginia Bureau for  
Medical Services; WEST VIRGINIA  
DEPARTMENT OF HEALTH AND HUMAN  
RESOURCES, BUREAU FOR MEDICAL  
SERVICES; JASON HAUGHT, in his official  
Capacity as Director of the West Virginia Public  
Employees Insurance Agency; and THE  
HEALTH PLAN OF WEST VIRGINIA, INC.,**

**Defendants.**

**AMENDED NOTICE OF VIDEOTAPED DEPOSITION  
OF DR. JOHANNA OLSON-KENNEDY, M.D., M.S**

PLEASE BE ADVISED that the undersigned counsel for Defendant West Virginia Department of Health and Human Resources, Bureau for Medical Services, will take the videotaped deposition of **Dr. Johanna Olson-Kennedy**, on **April 25, 2022** commencing at **11:30 a.m. (EST) (8:30 a.m. PST)**. This deposition will be taken remotely via video teleconference

offered by **Veritext**, before a person authorized by law to administer oaths, and will continue from hour to hour until completed.

You are invited to appear to protect your interests.

**WILLIAM CROUCH,  
CYNTHIA BEANE, and  
WEST VIRGINIA DEPARTMENT OF  
HEALTH AND HUMAN RESOURCES,  
BUREAU FOR MEDICAL SERVICES,  
By counsel**

/s/Caleb B. David

Lou Ann S. Cyrus, Esquire (WVSB #6558)

Roberta F. Green, Esquire (WVSB #6598)

Caleb B. David, Esquire (WVSB #12732)

Kimberly M. Bandy, Esquire (WVSB #10081)

SHUMAN MCCUSKEY SLICER PLLC

P.O. Box 3953

Charleston, WV 25339

(304) 345-1400; (304) 343-1826 (fax)

[lcyrus@shumanlaw.com](mailto:lcyrus@shumanlaw.com)

[rgreen@shumanlaw.com](mailto:rgreen@shumanlaw.com)

[cdavid@shumanlaw.com](mailto:cdavid@shumanlaw.com)

[kbandy@shumanlaw.com](mailto:kbandy@shumanlaw.com)

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
HUNTINGTON DIVISION**

**CHRISTOPHER FAIN; ZACHARY MARTELL; BRIAN MCNEMAR, SHAWN ANDERSON a/k/a SHAUNTAE ANDERSON; and LEANNE JAMES, individually and on behalf of all others similarly situated,**

**Plaintiffs,**

**Civil Action No. 3:20-cv-00740  
Hon. Robert C. Chambers, Judge**

v.

**WILLIAM CROUCH, in his official capacity as Cabinet Secretary of the West Virginia Department Of Health and Human Resources; CYNTHIA BEANE, in her official capacity as Commissioner for the West Virginia Bureau for Medical Services; WEST VIRGINIA DEPARTMENT OF HEALTH AND HUMAN RESOURCES, BUREAU FOR MEDICAL SERVICES; JASON HAUGHT, in his official Capacity as Director of the West Virginia Public Employees Insurance Agency; and THE HEALTH PLAN OF WEST VIRGINIA, INC.**

**Defendants.**

**CERTIFICATE OF SERVICE**

Now come Defendants William Crouch, Cynthia Beane and West Virginia Department of Health and Human Resources, by counsel, and do hereby certify that on the 20<sup>th</sup> of April, 2022, a true and exact copy of *Amended Notice of Videotaped Deposition of Johanna Olson-Kennedy, M.D., M.S.*, was served on counsel via electronic means as follows:

Walt Auvil (WVSB#190)  
***Counsel for Plaintiffs***  
The Employment Law Center, PLLC  
1208 Market Street  
Parkersburg, WV 26101-4323  
(304) 485-3058  
(304) 485-6344 (fax)  
[auvil@theemploymentlawcenter.com](mailto:auvil@theemploymentlawcenter.com)

Anna P. Prakash, Visiting Attorney  
Nicole J. Schladt, Visiting Attorney  
***Counsel for Plaintiffs***  
Nichols Kaster, PLLP  
IDS Center, 80 South 8<sup>th</sup> Street  
Suite 4600  
Minneapolis, MN 55402  
(612) 256-3200  
(612) 338-4878 (fax)  
[aprakash@nka.com](mailto:aprakash@nka.com)  
[nschladt@nka.com](mailto:nschladt@nka.com)

Sasha Buchert, Visiting Attorney  
***Counsel for Plaintiffs***  
Lambda Legal Defense and Education Fund,  
Inc.  
1776 K Street, N.W., 8<sup>th</sup> Floor  
Washington, DC 20006-2304  
(202) 804-6245  
(202) 429-9574 (fax)  
[sbuchert@lambdalegal.org](mailto:sbuchert@lambdalegal.org)

Avatara Smith-Carrington, Visiting Attorney  
***Counsel for Plaintiffs***  
Lambda Legal Defense and Education Fund,  
Inc.  
3500 Oak Lawn Avenue, Suite 500  
Dallas Texas 75219-6722  
(214) 219-8585  
(214) 219-4455 (fax)  
[asmithcarrington@lambdalegal.org](mailto:asmithcarrington@lambdalegal.org)

Nora Huppert, Visiting Attorney  
***Counsel for Plaintiffs***  
65 E. Wacker Pl, Suite 2000  
Chicago, IL 60601  
[nhuppert@lambdalegal.org](mailto:nhuppert@lambdalegal.org)

Carl. S. Charles, Visiting Attorney  
***Counsel for Plaintiffs***  
Lambda Legal Defense and Education Fund,  
Inc.  
1 West Court Square, Suite 105  
Decatur, GA 300030  
(404) 897-1880  
(404) 506-9320 (fax)  
[ccharles@lambdalegal.org](mailto:ccharles@lambdalegal.org)

Tara L. Borelli, Visiting Attorney  
***Counsel for Plaintiffs***  
Lambda Legal Defense and Education Fund,  
Inc.  
1 West Court Square, Suite 105  
Decatur, GA 30030  
[tborelli@lambdalegal.org](mailto:tborelli@lambdalegal.org)

/s/ Caleb B. David

Lou Ann S. Cyrus, Esquire (WVSB #6558)

Roberta F. Green, Esquire (WVSB #6598)

Caleb B. David, Esquire (WVSB #12732)

Kimberly M. Bandy, Esquire (WVSB #10081)

***Counsel for William Crouch, Cynthia Beane, and  
West Virginia Department of Health and Human  
Resources, Bureau for Medical Services***

SHUMAN MCCUSKEY SLICER PLLC

P.O. Box 3953

Charleston, WV 25339

(304) 345-1400; (304) 343-1826 (fax)

[lcyrus@shumanlaw.com](mailto:lcyrus@shumanlaw.com)

[rgreen@shumanlaw.com](mailto:rgreen@shumanlaw.com)

[cdavid@shumanlaw.com](mailto:cdavid@shumanlaw.com)

[kbandy@shumanlaw.com](mailto:kbandy@shumanlaw.com)