

The Honorable Robert J. Bryan

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

C.P., by and through his parents, Patricia
Pritchard and Nolle Pritchard; and
PATRICIA PRITCHARD,

Plaintiffs,

v.

BLUE CROSS BLUE SHIELD OF
ILLINOIS,

Defendant.

NO. 3:20-cv-06145-RJB

DECLARATION OF
ELEANOR HAMBURGER IN SUPPORT
OF PLAINTIFFS' REPLY RE: MOTION
FOR CLASS CERTIFICATION AND
SUBJOINED MOTION TO STRIKE
CARR REPORT

**Note on Motion Calendar:
October 28, 2022**

I, Eleanor Hamburger, declare under penalty of perjury and in accordance with the laws of the State of Washington and the United States that:

1. I am a partner at Sirianni Youtz Spoonemore Hamburger and am one of the attorneys for Plaintiffs in this action.

2. Based upon the discovery obtained, Plaintiffs' counsel modified the proposed class definition to apply only to the two types of exclusions administered by BCBSIL in its self-funded plans: categorical exclusions of coverage for all treatment for gender dysphoria, and categorical exclusions of coverage for all surgical treatment for gender dysphoria. See *Exh. 4*, pp. 61:2-75.5. As BCBSIL's Rule 30(b)(6) witnesses described, BCBSIL's review of its coverage and exclusion of gender dysphoria produced information about both exclusions and treatment limitations. Plaintiffs' counsel learned

1 in discovery that the plans that contained treatment limitations generally covered the
 2 essential services to treat gender dysphoria but imposed age, financial or other
 3 limitations on coverage. As a result, the class definition was narrowed to focus solely on
 4 categorical exclusions of coverage—whether the exclusion is of all treatment or a
 5 categorical exclusion of surgical services for gender dysphoria.

6 3. The revised class definition in Docket No. 78, p. 4, more closely tracks the
 7 language used in other court-approved class definitions involving ERISA health plan
 8 coverage disputes in the Western District of Washington. *See, e.g., D.T. v. NECA/IBEW*
 9 *Family Med. Care Plan*, No. C17-00004 RAJ, 2019 U.S. Dist. LEXIS 50683, at *6 (W.D. Wash.
 10 Mar. 26, 2019); *A.D. v. T-Mobile USA, Inc. Empl. Ben. Plan*, No. 2:15-cv-00180-RAJ, 2016
 11 U.S. Dist. LEXIS 94155, at *4 (W.D. Wash. July 18, 2016); *R.H. v. Premera Blue Cross*,
 12 No. C13-97RAJ, 2014 U.S. Dist. LEXIS 92691, at *7 (W.D. Wash. July 7, 2014); *K.M. v.*
 13 *Regence BlueShield*, No. C13-1214 RAJ, 2014 U.S. Dist. LEXIS 27685, at *35 (W.D. Wash.
 14 Feb. 27, 2014).

15 4. **Exhibits.** Attached are true and correct copies of the following documents,
 16 with underlining where appropriate for the Court's convenience:

Exhibit	Description	Date
1.	Letter from Daniel Gross to Gwendolyn Payton and Stephanie Bedard re: Carr Report and testimony	10/26/2022
2.	Response letter from Gwendolyn Payton re: Carr Report and testimony	10/27/2022
3.	Reply letter from Daniel Gross to Gwendolyn Payton re: Carr Report and testimony	10/27/2022
4.	Excerpts of Zoom Video Deposition Upon Oral Examination of Telisa Drake (BCBSIL Rule 30(b)(6)) - CONFIDENTIAL	05/13/2022

Exhibit	Description	Date
5.	Excerpts of Zoom Video Deposition Upon Oral Examination of Laura Malec (BCBSIL Rule 30(b)(6)) - CONFIDENTIAL	08/19/2022
6.	Email from Eleanor Hamburger to Gwendolyn Payton and Stephanie Bedard re: Expert Witness Disclosure for Frank G. Fox, Ph.D.	06/17/2022
7.	Excerpts of Remote Videotaped Deposition Upon Oral Examination of Frank G. Fox, Ph.D.	09/12/2022
8.	Email from Stephanie Bedard re: BCBSIL's Rule 26(a)(2) Disclosure of Scott Carr, Ph.D	10/21/2022

DATED this 28th day of October, 2022, at Seattle, Washington.

/s/ Eleanor Hamburger

Eleanor Hamburger (WSBA #26478)
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Attorneys for Plaintiffs

Exhibit 1

SIRIANNI YOUTZ
SPOONEMORE HAMBURGER PLLC

October 26, 2022

CONFIDENTIAL – F.R.E. 408

By EMAIL ONLY

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**RE: *C.P. v. Blue Cross Blue Shield of Illinois, No. 3:20-cv-06145-RJB –
Expert Disclosure of Scott Carr, Ph.D.***

Dear Gwendolyn and Stephanie:

I am writing to you to request that Defendant, BlueCross BlueShield of Illinois (BCBSIL) withdraw the expert disclosure of Scott Carr, Ph.D. that it proffered last Friday in *Pritchard, et al. v. BlueCross BlueShield of Illinois*, long after the expert disclosure and discovery deadline ordered by the Court had passed, and a full 63 days after Dr. Fox's report was produced by Plaintiffs. You cite Dr. Carr's report in your Opposition to Plaintiffs' Motion for Class Certification (Dkt. No. 93, p. 24:18-24:19). Per the Western District's Local Rule, we are required to request that improper evidence relied upon in an opposition be stricken through an argument incorporated into the motion's reply. LCR 7(g). Accordingly, should you not agree to withdraw Scott Carr's expert disclosure by noon on Thursday, October 27, we shall move to strike Carr's disclosure in our reply on class certification to be filed no later than Friday October 28, 2022. Such objections will be filed without prejudice to any other rights Plaintiffs may have to object to such disclosure and/or move to have it and any other testimony from Dr. Carr stricken. *See, e.g.*, LCR 7(g)(5).

As you are certainly aware, FRCP 26(a)(2)(A), (B), (D) require a party to disclose its expert witnesses to the opposing party at the times and sequence that the court orders.

SIRIANNI YOUTZ
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Stephanie Bedard
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In the absence of an applicable court order, parties are required to disclose their rebuttal witnesses “within 30 days after the other party’s disclosure.” FRCP 26(a)(2)(D)(ii). By any standard, Defendant’s disclosure of Dr. Carr as a witness called to rebut Plaintiffs’ expert Dr. Frank Fox’s expert reports was untimely.

On June 17, 2022, Plaintiffs timely disclosed to Defendant their intention to call Frank Fox, Ph.D. as an expert witness. *See* Dkt. 48 (setting expert disclosure deadline of 6/17/2022). As we noted at the time, Plaintiffs did not submit Dr. Fox’s report along with his disclosure as a witness because Defendant continued to refuse to produce discovery Dr. Fox required to render his opinion and formulate a report. (Email from E. Hamburger, 6/17/2022, 11:38 a.m.)

The additional time required to produce the Fox report was further lengthened by Defendant’s continued refusal to produce the needed discovery, which we were forced to (successfully) move to compel to obtain. *See generally* Dkt. No. 70 (Order on Motion to Compel and Motions to Seal). Defendant then further dragged its feet in producing the discovery even after having been ordered to render it to Plaintiffs, turning over the final information related to what Dr. Fox needed to assess and prepare his report on August 16, 2022. (Email from Stephanie Bedard, 8/16/2022, 11:42 a.m.) Dr. Fox proceeded to promptly complete and document his analysis in a report that Plaintiffs sent to Defendant just three days later on August 19, 2022. (Email from Eleanor Hamburger, 8/19/2022, 11:55 a.m.) Any rebuttal to Dr. Fox’s report was due on September 19, 2022. *See* Fed. R. Civ. P. 26(a)(2)(D)(ii) (requiring disclosure of evidence “intended solely to contradict or rebut evidence on the same subject matter identified by another party under Rule 26(a)(2)(B)” to occur “within 30 days after the other party’s disclosure”).

When Dr. Fox subsequently discovered that the statistics featured in a significant source on which he relied (the “Williams Institute”) in reaching his conclusions about the likely numerosity of the proposed Plaintiff class had been updated, Dr. Fox created an Addendum to his primary disclosure in which he applied the same method employed in the primary disclosure to the more recent Williams Institute statistics. In the Addendum, Dr. Fox listed the new likely numerosity figures for the proposed class that were produced in this manner, noting that the new figures did not change his initial conclusion that on average about 300 members would be expected to seek gender-affirming care each year. *See* Addendum to Report of Frank G. Fox Ph.D., pp. 1-3. Plaintiffs promptly

SIRIANNI YOUTZ
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produced the Addendum to Defendant on September 29, 2022. Plaintiffs also included a copy of Dr. Fox's original report with the Addendum for ease of reference. *Id.*

On Friday, October 21, Defendant for the first time and without prior notice disclosed Scott Carr, Ph.D. as an expert witness "responding to the report and Addendum offered by Frank G. Fox." (Email of Stephanie Bedard sent 10/21/2022, 2:11 p.m.) A report was attached to the message identifying Carr as a defense expert rebuttal witness.

By any standard, the Carr disclosure comes too late. The final expert disclosure deadline authorized by the Court was June 17, 2022. Even if that deadline was considered be waived or inapplicable to rebuttal witnesses, the default deadline for producing a rebuttal disclosure is 30 days after the production of the report it is offered to rebut. FRCP 26(a)(2)(D). Dr. Fox's report was produced on August 19, 2022. Accordingly, any expert Defendant offered to rebut Dr. Fox's opinions in that report was required to be disclosed along with their rebuttal report no later than September 19, 2022 (the 30th day fell on Sunday, September 18, 2022, extending the deadline to the following court day).

We anticipate that you will argue that the 30-day rebuttal expert disclosure deadline should flow from the date on which Dr. Fox submitted the Addendum to his report. Such a claim is likely to fail. First, by counsel's own words, Scott Carr's report was not offered simply to rebut any new opinions offered in the Addendum; the Carr report was "responding to **the report** and addendum offered by Frank G. Fox." (Emphasis added.) Moreover, Dr. Fox's Addendum did not change his methodology or the opinions on which it relied. He stated that he simply applied the method used and explained in his primary report to updated data. Conversely, Dr. Carr prominently critiqued his characterization of Dr. Fox's methods. *See, e.g., Carr Report, p. 5* (Summary of opinion 2 of 2 - "Dr. Fox's estimates of the number of transgender Group Members who sought transgender-related services is methodologically incorrect...."). Second, on its face, Dr. Carr's report is offered not simply to challenge Dr. Fox's Addendum, but to rebut Dr. Fox's primary report, including the methods and opinions explained therein.

Should we be forced to litigate this, it is likely that the court will strike Dr. Carr's disclosure and bar him from testifying in other matters concerning this case. This is the presumptive remedy for a party's failure to timely disclose an expert witness. Federal Rule of Civil Procedure 37(c)(1) was designed to "put teeth" into the disclosure

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requirements under Rule 26(a) and (e). *Ollier v. Sweetwater Union High Sch. Dist.*, 768 F.3d 843, 861 (9th Cir. 2014). It provides a presumptive sanction of exclusion of any witnesses that was not timely disclosed: “If a party fails to provide information or identify a witness as required by Rule 26(a) or (e), the party is not allowed to use that information or witness to supply evidence on a motion, at a hearing, or at a trial, unless the failure was substantially justified or is harmless.” Fed. R. Civ. P. 37(c)(1). Here, there is no justification for Defendant’s failure to timely disclose any witnesses intended to rebut Dr. Fox’s methodology and the opinions on which it relies. Nor is such an untimely disclosure harmless. The Court’s deadline for filing discovery motions fell on July 22, 2022 (Dkt. No. 74), and discovery was required to be completed by August 5, 2022, or August 12, 2022, concerning specific forms of discovery identified in the Order. Dkt. No. 73. Nor is the Court likely to extend these deadlines to accommodate Defendant’s dilatory disclosures of this expert rebuttal.

For these reasons, we request that you inform us in writing by noon on Thursday, October 25, 2022, that you are withdrawing your disclosure of Dr. Carr as a witness of any kind in this matter. Should you not do so, we will seek from the Court an order that Dr. Carr be stricken as a witness or source of evidence in any capacity in this matter, with any accompanying remedies the Court deems appropriate. If you wish to discuss this, please feel free to contact me at dgross@sylaw.com. If you would prefer to discuss this directly, please feel free to suggest some times you are free for a call.

Thank you for your consideration.

Very truly yours,

SIRIANNI YOUTZ
SPOONEMORE HAMBURGER PLLC

/s/ Daniel S. Gross

Daniel S. Gross

DSG:sh
cc: Omar Gonzalez-Pagan
Jenny Pizer
Eleanor Hamburger

Exhibit 2



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October 27, 2022

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VIA E-MAIL

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Omar Gonzalez-Pagan
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Re: *C.P., et. al. v. BCBSIL*, 3:20-cv-06145-RJB (Western District of Washington):
Expert Disclosure of Scott Carr, Ph.D.

Dear Counsel:

We write in response to your October 26, 2022 correspondence concerning Blue Cross and Blue Shield of Illinois (“BCBSIL”)’s timely disclosure of Scott Carr, Ph.D. as a rebuttal expert witness. Your contention that Dr. Carr’s rebuttal report was proffered in an untimely manner is inaccurate and misconstrues the timing of Plaintiffs’ own expert disclosures.

As an initial matter, your own expert disclosures were not timely. The deadline to serve expert witness disclosures in this action was June 17, 2022. *See* Dkt. 48. You served Dr. Frank Fox’s initial expert disclosure on August 19, 2022 and then served his amended expert disclosure on September 29, 2022. Thus, your belated disclosure of Dr. Fox’s amended expert report in late September 2022, without any notice to BCBSIL, was itself untimely.

Dr. Fox’s initial August 2022 disclosure was – as you recognize – based on outdated data from a primary source on which Dr. Fox relies. You claim that the reason Dr. Fox amended his report was to take into account “updated” statistics from the Williams Institute that were a “significant source on which he relied in reaching his conclusions.” As you acknowledge, this substantial modification to his initial report led to “new likely numerosity figures for the proposed class” based on the new Williams Institute statistics. In other words, Dr. Fox

Sirianni Youtz Spoonemore Hamburger PLLC
Lambda Legal
October 27, 2022
Page 2

materially revised his report to incorporate new statistics into his analysis, regardless of the impact on his conclusions.

As you recognize in your letter, both parties are required to disclose their rebuttal witnesses within 30 days after the other party's disclosure. Fed. R. Civ. P. 26(a)(2)(D)(ii). On October 21, 2022, in response to Dr. Fox's September 29, 2022 amended expert report, BCBSIL timely disclosed Dr. Carr's rebuttal expert report. It is undisputed that Dr. Carr's rebuttal report was disclosed well within the 30-day window contemplated by Rule 26(a)(2)(D)(ii).

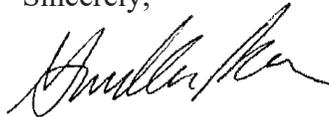
Dr. Carr's rebuttal report analyzes in detail the conclusions reached and underlying data relied upon in Dr. Fox's September 2022 revised expert report. *See Carr Rebuttal Report* at pp. 1, 6-8, 13, 15-20 (analyzing the data in Updated Table 1 and Updated Table 5 of Dr. Fox's revised report). Dr. Carr certainly critiques Dr. Fox's flawed application of his methodology to the underlying data, including the Williams Institute statistics, but that by no means is a basis to strike Dr. Carr's report.

Your position is contradictory and without merit. On the one hand, you argue that the Court should disregard Dr. Fox's initial report and instead should consider Dr. Fox's amended report, which was filed well after the expert disclosure cutoff. On the other hand, you argue that Dr. Carr's rebuttal report, which was timely filed within 30 days of that amended report, should be stricken as untimely.

It is telling that you do not, and cannot, argue you were prejudiced by Dr. Carr's rebuttal expert disclosure. If Plaintiffs truly had concerns regarding Dr. Carr's rebuttal report, those concerns should have been addressed by seeking Dr. Carr's deposition, rather than moving to strike his timely report.

Plaintiffs cannot have it both ways. If Dr. Carr's rebuttal report is untimely, so too is Dr. Fox's amended report. Thus, if Plaintiffs seek to strike Dr. Carr's rebuttal report in their reply brief, BCBSIL will in turn file a surreply pursuant to LCR 7(g) to exclude both Dr. Fox's initial report (which relies on outdated data and is no longer operative) and Dr. Fox's untimely amended report.

Sincerely,



Gwendolyn C. Payton

cc: Stephanie N. Bedard, Esq.

Exhibit 3

SIRIANNI YOUTZ
SPOONEMORE HAMBURGER PLLC

October 27, 2022

By EMAIL ONLY

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**RE: *C.P. v. Blue Cross Blue Shield of Illinois, No. 3:20-cv-06145-RJB –
Expert Disclosure of Scott Carr, Ph.D.***

Dear Gwendolyn and Stephanie:

I received your letter of 10/27/2022 informing Plaintiffs' counsel of Defendant's unwillingness to withdraw their untimely disclosed rebuttal expert, Scott Carr, Ph.D. I am writing to clear up a few assertions in your letter that either show a misunderstanding of past events or mischaracterize them. This is not meant to be an encyclopedic correction of your letter's errors, and so if we fail to address any particular assertion in your letter, that should not be considered to be any sort of admission that the assertion is correct.

As an initial matter, Plaintiffs' disclosure of Dr. Fox as a likely expert witness was timely made on 6/17/2022. To the extent that it was not possible to provide you with a report from Dr. Fox contemporaneously with his identification as a potential witness, that situation was entirely of Defendant's own making. As you are aware, and as Plaintiffs' counsel Eleanor Hamburger informed you at the time, Dr. Fox's inability to complete his report by 6/17/2022 resulted from Defendant's intransigence in refusing to turn over necessary discovery, discovery that the Court subsequently ordered your client to produce. Even after Defendant was ordered by the Court to make necessary disclosures, Defendant continued to delay required discovery production, further delaying the completion of the report and its production.

SIRIANNI YOUTZ
SPOONEMORE HAMBURGER PLLC

Gwendolyn Payton
Stephanie Bedard
October 27, 2022
Page 2

Moreover, Defendant deposed Dr. Fox after receiving his report and did so well before filing responsive briefing on Plaintiffs' Motion for Class Certification and Motion for Summary Judgment, eliminating any possible prejudice you could argue flowed from your receipt of Dr. Fox's report after 6/17/2022. Conversely, Plaintiffs had no ability to depose Dr. Carr before completing their summary judgment or class certification briefing. Indeed, you disclosed Dr. Carr as a witness only after the discovery cutoff deadline, one business day before the dispositive motion cutoff, and shortly before the *Daubert* briefing is due. Accordingly, your suggestion that Plaintiffs are somehow not prejudiced by Dr. Carr's belated disclosure because Plaintiffs could have assertedly sought Dr. Carr's deposition is specious. Even if the disclosure had been made with substantial time to depose Dr. Carr - with the Court's authorization - before briefing class certification and dispositive motions, the necessity to seek the Court's authorization to extend the discovery deadlines to permit Dr. Carr's deposition is itself legally cognizable harm. *See Wong v. Regents of the Univ. of Cal.*, 410 F.3d 1052, 1062 (9th Cir. 2005) (excluding untimely disclosed witness even though the ultimate trial date was still some months away, noting that "[d]isruption to the schedule of the court and the other parties is not harmless").

As Defendant continues to seek to rely on Dr. Carr's late-disclosed testimony, Plaintiffs shall take appropriate measures to seek the Court's refusal to consider such evidence. If you wish to discuss this, please feel free to contact me at dgross@sylaw.com. If you would prefer to discuss this directly, please feel free to suggest some times you are free for a call.

Thank you for your consideration.

Very truly yours,
SIRIANNI YOUTZ
SPOONEMORE HAMBURGER PLLC

/s/ Daniel S. Gross

Daniel S. Gross

DSG:sh
cc: Omar Gonzalez-Pagan
Jenny Pizer
Eleanor Hamburger

C.P. v. Blue Cross Blue Shield of Illinois
USDC (W.D. Wash.), No. 3:20-cv-06145-RJB

CONFIDENTIAL EXHIBIT

Filed Under Seal
Pursuant to Protective Order (Dkt. No. 25)

Exhibit 4

C.P. v. Blue Cross Blue Shield of Illinois
USDC (W.D. Wash.), No. 3:20-cv-06145-RJB

CONFIDENTIAL EXHIBIT

Filed Under Seal
Pursuant to Protective Order (Dkt. No. 25)

Exhibit 5

Exhibit 6

From: [Ele Hamburger](#)
To: [Payton, Gwendolyn](#); [Bedard, Stephanie](#)
Cc: [Daniel Gross](#); [Omar Gonzalez-Pagan](#); [Jenny Pizer](#)
Subject: CP v. BCBSIL -- Expert Witness Disclosure for Frank G. Fox, Ph.D.
Date: Friday, June 17, 2022 11:38:00 AM

Counsel,

Due to the ongoing discovery dispute and the re-noting of our Motion to Compel, our expert witness cannot complete his analysis regarding size of the proposed class and the likely number of claims avoided as a result of the gender affirming care exclusion administered by BCBSIL (in addition to denied claims). Had we received the discovery regarding the total population of the identified 398 plans, our expert would have been able to complete this analysis in a timely manner and to disclose his opinions today.

We will disclose this information as soon as possible after we receive the withheld discovery. Our anticipated expert is Frank G. Fox, Ph.D. I will provide his CV and list of cases in which he provided expert testimony at trial or deposition when we produce his report. Please let me know any questions you may have about this disclosure.

Sincerely yours,

Ele

Ele Hamburger

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I am presently working remotely but regularly checking voice messages left on my direct line.

Exhibit 7

Transcript of the Testimony of

Frank G. Fox, Ph.D.

Date: 9/12/2022

C.P. vs BLUE CROSS BLUE SHIELD OF ILLINOIS



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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA

C.P., by and through his)
parents, PATRICIA PRITCHARD)
AND NOLLE PRITCHARD; and)
PATRICIA PRITCHARD,)
) No. 3:20-cv-06145-RJB
Plaintiffs,)
)
vs.)
)
BLUE CROSS BLUE SHIELD OF)
ILLINOIS,)
)
Defendant.)

REMOTE
VIDEOTAPED DEPOSITION UPON ORAL EXAMINATION OF
FRANK G. FOX, Ph.D.
September 12, 2022

Taken remotely
Witness location: Seattle, Washington

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Frank G. Fox, Ph.D.

9/12/2022

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A P P E A R A N C E S

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ALSO PRESENT:

Bryan Gaver, Videographer

Frank G. Fox, Ph.D.
9/12/2022

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FRANK G. FOX, Ph.D. - September 12, 2022

I N D E X

EXAMINATION BY: Page(s)

Atty. Payton 5

* * *

EXHIBITS FOR IDENTIFICATION:

Exhibit 1	Declaration of Frank G. Fox	15
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Frank G. Fox, Ph.D.

9/12/2022

1 Q. (By Atty. Payton) I'm sorry, I didn't hear your
2 answer.

3 A. On net, they go up.

4 Q. Do you know that because you performed the
5 calculation with the correct data set?

6 A. That's correct.

7 Q. Okay. Did you produce that to counsel?

8 A. No, I did not.

9 Q. Do you intend to?

10 A. If so asked.

11 Q. So essentially, your Table 4 is outdated, right?
12 In Exhibit 1?

13 A. That would be correct.

14 Q. It needs to be updated with the correct data?

15 A. It needs -- if we wanted to update to 2022 Williams
16 Institute figures, that would be updated, yes.

17 Q. Hold on a second, because I want to close out that
18 issue. So I'm jumping ahead, because I was going to get to
19 that later. Bear with me a moment. I'm finding where in my
20 outline I wanted to talk about that discrepancy.

21 Dr. Fox, was that just a mistake?

22 ATTY. HAMBURGER: Object as to form.

23 THE WITNESS: I don't know that I would
24 characterize it as a mistake. We received the -- or we
25 obtained the 2022 Williams report after I initially prepared

Frank G. Fox, Ph.D.

9/12/2022

1 Q. (By Atty. Payton) I'm sorry, I didn't hear your
2 answer.

3 A. On net, they go up.

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5 calculation with the correct data set?

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23 THE WITNESS: I don't know that I would
24 characterize it as a mistake. We received the -- or we
25 obtained the 2022 Williams report after I initially prepared

Exhibit 8

From: [Bedard, Stephanie](#)
To: [Ele Hamburger](#); [Omar Gonzalez-Pagan](#); [Jenny Pizer](#); [Daniel Gross](#); [Matt Terry](#); [Theresa Redfern](#); [Stacy Hoffman](#)
Cc: [Payton, Gwendolyn](#); [Neeleman, John](#); [Rountree, Ian](#); [Phelps, Zoe](#)
Subject: [External] C.P. v. BCBSIL (No. 3:20-cv-06145-RJB) - BCBSIL's Rule 26(a)(2) Disclosure of Scott Carr, Ph.D
Date: Friday, October 21, 2022 2:12:07 PM
Attachments: [image002.png](#)
[C.P. et al. v. BCBSIL - 2022.10.21 Rule 26 Disclosure of Scott Carr.PDF](#)

Counsel,

Pursuant to Federal Rule of Civil Procedure 26(a)(2), attached please find the rebuttal expert report of Scott Carr, Ph.D, responding to the report and addendum offered by Frank G. Fox.

Thank you,
Stephanie



Stephanie Bedard

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