

THE HONORABLE ROBERT J. BRYAN

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

**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,

Plaintiffs,

vs.

BLUE CROSS BLUE SHIELD OF  
ILLINOIS,

Defendant.

Case No. 3:20-cv-06145-RJB

**DEFENDANT BLUE CROSS BLUE SHIELD  
OF ILLINOIS' NOTICE OF FILING RULE  
23(f) PETITION FOR PERMISSION TO  
APPEAL**

1 **TO: CLERK OF THE COURT**

2 **AND TO: ALL COUNSEL OF RECORD**

3 PLEASE TAKE NOTICE that on November 23, 2022, Defendant Blue Cross Blue  
4 Shield of Illinois (“BCBSIL”) filed a Petition for Permission to Appeal, pursuant to Rule 23(f)  
5 of the Federal Rules of Civil Procedure, with the United States Court of Appeals for the Ninth  
6 Circuit. BCBSIL seeks permission to appeal this Court’s Order Granting Motion for Class  
7 Certification [Dkt. 113]. A copy of BCBSIL’s Rule 23(f) Petition was served via CM/ECF to  
8 Plaintiffs’ counsel on this date.

9  
10 Dated this 23<sup>rd</sup> day of November, 2022.

11 KILPATRICK TOWNSEND & STOCKTON LLP

12 By           /s/ Gwendolyn C. Payton            
13 Gwendolyn C. Payton, WSBA No. 26752  
14 gpayton@kilpatricktownsend.com  
15 John R. Neeleman, WSBA No. 19752  
16 jneeleman@kilpatricktownsend.com  
17 1420 Fifth Ave., Suite 3700  
18 Seattle, WA 98101  
19 Telephone: (206) 626-7714  
20 Facsimile: (206) 623-6793

21 *Counsel for Blue Cross Blue Shield of Illinois*

**CERTIFICATE OF SERVICE**

I certify that on the date indicated below I caused a copy of the foregoing document, DEFENDANT BLUE CROSS BLUE SHIELD OF ILLINOIS’ NOTICE OF FILING RULE 23(f) PETITION FOR PERMISSION TO APPEAL, to be filed with the Clerk of the Court via the CM/ECF system. In accordance with their ECF registration agreement and the Court’s rules, the Clerk of the Court will send e-mail notification of such filing to the following attorneys of record:

<p><b>Eleanor Hamburger</b>                  SIRIANNI YOUTZ SPOONEMORE                  HAMBURGER                  3101 WESTERN AVENUE STE 350                  SEATTLE, WA 98121                  206-223-0303                  Fax: 206-223-0246                  Email: ehamburger@sylaw.com</p>	<p><input checked="" type="checkbox"/> by CM/ECF  <input type="checkbox"/> by Electronic Mail  <input type="checkbox"/> by Facsimile Transmission  <input type="checkbox"/> by First Class Mail  <input type="checkbox"/> by Hand Delivery  <input type="checkbox"/> by Overnight Delivery</p>
<p><b>Jennifer C Pizer</b>                  LAMBDA LEGAL DEFENSE AND                  EDUCATION FUND, INC                  4221 WILSHIRE BLVD., STE 280                  LOS ANGELES, CA 90010                  213-382-7600                  Email: jpizer@lambdalegal.org</p>	<p><input checked="" type="checkbox"/> by CM/ECF  <input type="checkbox"/> by Electronic Mail  <input type="checkbox"/> by Facsimile Transmission  <input type="checkbox"/> by First Class Mail  <input type="checkbox"/> by Hand Delivery  <input type="checkbox"/> by Overnight Delivery</p>
<p><b>Omar Gonzalez-Pagan</b>                  LAMBDA LEGAL DEFENSE AND                  EDUCATION FUND, INC. (NY)                  120 WALL STREET                  19TH FLOOR                  NEW YORK, NY 10005                  212-809-8585                  Email: ogonzalez-pagan@lambdalegal.org</p>	<p><input checked="" type="checkbox"/> by CM/ECF  <input type="checkbox"/> by Electronic Mail  <input type="checkbox"/> by Facsimile Transmission  <input type="checkbox"/> by First Class Mail  <input type="checkbox"/> by Hand Delivery  <input type="checkbox"/> by Overnight Delivery</p>

DATED this 23<sup>rd</sup> day of November 2022.

KILPATRICK TOWNSEND & STOCKTON  
 LLP

By: /s/ Gwendolyn C. Payton  
 Gwendolyn C. Payton, WSBA #26752

*Counsel for Blue Cross Blue Shield of Illinois*