

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

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

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

2. During a recent discussion with opposing counsel, I understood that BCBSIL takes the position that an adjudication of Plaintiffs' rights to coverage for services excluded under the Transgender Reassignment Surgery exclusion would only apply to C.P. and not to other similarly situated enrollees in self-funded health plans that BCBSIL administers, despite the ERISA fiduciary duties owed by BCBSIL to those enrollees. To avoid any dispute regarding the impact of an adjudication by the Court of

