## BEFORE THE INSURANCE DEPARTMENT OF THE COMMONWEALTH OF PENNSYLVANIA

Statement Regarding the Acquisition of Control of or Merger with Domestic Insurers:

Highmark Inc.; First Priority Life Insurance Company, Inc.;
Gateway Health Plan, Inc.; Highmark Casualty Insurance Company;
Highmark Senior Resources Inc.; HM Casualty Insurance Company;
HM Health Insurance Company, d/b/a Highmark Health Insurance Company;
HM Life Insurance Company; HMO of Northern Pennsylvania, Inc.,
d/b/a First Priority Health; Inter-County Health Plan, Inc.;
Inter-County Hospitalization Plan, Inc.; Keystone Health Plan West, Inc.;
United Concordia Companies, Inc.; United Concordia Dental Plans of Pennsylvania, Inc.;
United Concordia Life and Health Insurance Company

By UPE, a Pennsylvania nonprofit corporation

## RESPONSE TO PID INFORMATION REQUEST 4.4.1 FROM THE PENNSYLVANIA INSURANCE DEPARTMENT

## **REQUEST 4.4.1:**

Identify and provide a description of any claims against any Highmark and WPAHS Entity by any Highmark and WPAHS Entity that are being, have been or will be settled or resolved in connection with the Transaction or since the execution of the June 28, 2011 term sheet between Highmark and WPAHS.

## **RESPONSE:**

As described in Section 2.6(c) of the Affiliation Agreement, immediately prior to the execution of the Affiliation Agreement, Highmark and WPAHS resolved pending litigation and other dispute resolution proceedings between them, including through (i) the voluntary dismissal with prejudice by WPAHS of all claims asserted against Highmark in the case styled WPAHS vs. Highmark and UPMC, Case No. 2-09-cv-00480 (WDPa), and by (ii) Highmark and WPAHS executing and entering into a settlement agreement (copy previously provided to the Department) to voluntarily dismiss with prejudice all claims asserted against WPAHS in the American Health Lawyer's Association Arbitration, Case No. A-033010-850, regarding outpatient oncology charges.

UPE 120 Fifth Avenue Pittsburgh, PA 15222