

COMMISSIONER OF INSURANCE FOR THE STATE OF LOUISIANA

IN RE: LOUISIANA HEALTH SERVICE & INDEMNITY COMPANY D/B/A  
BLUE CROSS AND BLUE SHIELD OF LOUISIANA

PLAN OF REORGANIZATION REGARDING THE CONVERSION FROM A MUTUAL  
INSURANCE COMPANY TO A STOCK INSURANCE COMPANY

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**RESPONSE TO MOTION FOR LEAVE TO FILE PETITION FOR INTERVENTION**  
**FILED BY HENRY W. KINNEY, INDIVIDUALLY AND**  
**AS COUNSEL FOR KINNEY & ELLINGHAUSEN**

NOW COMES Louisiana Health Service & Indemnity Company D/B/A Blue Cross and Blue Shield of Louisiana (“BCBSLA”), who respectfully files this response to the Motion for Leave to File Petition for Intervention.

Madam Hearing Officer, Henry W. Kinney, individually, and as counsel for Kinney & Ellinghausen (“K&E”), filed a Motion for Leave to File a Petition for Intervention and Petition (the “Motion and Petition”) pursuant to Section 1115 of Rule 1. The Motion and Petition fails to fully satisfy the requirements of Section 1115 of Rule 1 in the following respects:

(i) The Motion and Petition purports to be filed on behalf of K&E. The Louisiana Secretary of State reflects that K&E is a previous name of a firm named Kinney, Ellinghausen & Deshazo, A Professional Law Corporation. Section 1115(B) provides that the name and address of the petitioner must be set forth. The Motion and Petition fails to state the correct name of the petitioner.

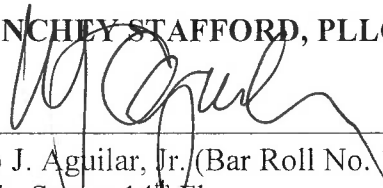
(ii) If affirmative relief is sought, the Motion and Petition must provide a clear and concise statement of the relief sought by the petitioner and the basis thereof. The Motion and Petition is not clear as to whether the petitioners seek affirmative relief and fails to state the relief sought and the basis thereof.

(iii) The Motion and Petition must provide a statement as to the nature and quantity of evidence the petitioner will present if the petition for intervention is granted. The Motion and Petition fails to state the nature and quantity of evidence the petitioner will present.

Due to the deficiencies in the Motion and Petition as set forth above, BCBSLA respectfully requests that Mr. Kinney and K&E be required to amend his Motion and Petition or file a revised Motion and Petition that fully complies with the requirements of Rule 1.

Respectfully submitted this 11th day of August, 2023.

**McGLINCHEY STAFFORD, PLLC**



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### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 11<sup>th</sup> day of August, 2023, a copy of the above and foregoing has been sent via electronic mail to the following:

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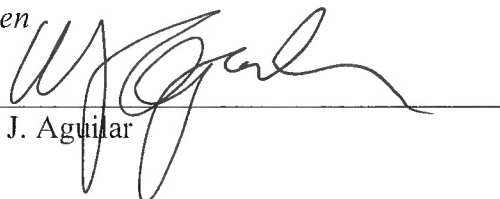
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*Attorney for Henry Kenney and Kinney & Ellinghausen*

Rodolfo J. Aguilar

A handwritten signature in black ink, appearing to read 'Rodolfo J. Aguilar', is written over a horizontal line. The signature is stylized and cursive.