

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION

YOLANDA GOODMAN,
on behalf of herself and all similarly
situated persons

PLAINTIFF

v.

No. 3:14-cv-229-DPM

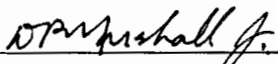
CRITTENDEN HOSPITAL ASSOCIATION, INC.;
EUGENE K. CASHMAN, III; W. BRAD McCORMICK;
CIGNA HEALTH AND LIFE INSURANCE CO.;
JAMIE R. CARTER, JR; DAVID G. BAYTOS;
DAVID RAINES, JR; JASON W. COLLARD;
HERSCHEL F. OWENS; ANDREW LUTTRELL;
KEITH M. INGRAM; RANDALL CATT;
WILLIAM JOHNSON; LANNIE L. LANCASTER;
JULIO P. RUIZ; SHERRY L. LONDON;
NESS S. SECHREST; RANDY R. SULLIVAN;
and LEVEN WILLIAMS

DEFENDANTS

ORDER

Agreed notice, No 113-1, appreciated and approved with the attached
tweaks.

So Ordered.



D.P. Marshall Jr.
United States District Judge

11 February 2016

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION

NOTICE OF A CERTIFIED CLASS ACTION WITH RESPECT TO THE CRITTENDEN HOSPITAL HEALTHCARE PLAN

IF YOU WERE COVERED BY THE CRITTENDEN COUNTY HOSPITAL HEALTHCARE PLAN FROM JANUARY 1, 2012 THROUGH SEPTEMBER 12, 2014, YOU ARE A MEMBER OF A LAWSUIT THAT HAS BEEN CERTIFIED BY THE COURT AS A CLASS ACTION AND YOUR CLAIMS UNDER ERISA MAY BE AFFECTED.

**PLEASE CAREFULLY READ THIS
NOTICE**

The purpose of this Notice is to let class members know:

- A lawsuit called *Yolanda Goodman on behalf of herself and all similarly situated persons v. Crittenden Hospital Association, Inc et. al.* Case No.2:14-cv-229 – DPM is pending in the United States District Court for the Eastern District of Arkansas before the Honorable Judge D.P. Marshall (the “Lawsuit”);
- Judge Marshall has certified the Lawsuit as a “Class Action” under the Federal Rules of Civil Procedure, and, as such, the claims under ERISA of those individuals who are members of the certified Class will be affected. ERISA is the federal law that regulates, among other things, healthcare benefits that employers provide to employees and their dependents; and ✓
- Members of the Class can obtain more information about the Lawsuit if they desire to do so.

1. What is a “Class Action”?

A “Class Action” is a lawsuit in which an individual plaintiff desires to represent a group of people so that the group’s claims can be decided in one legal proceeding. In the Lawsuit, Judge Marshall has “certified” the Lawsuit as a Class Action. This means that the named plaintiff, Yolanda Goodman, is authorized to bring the Lawsuit on behalf of people who were covered under the Crittenden Regional Hospital Health Plan.

2. Who is in the Class?

In the Lawsuit, Judge Marshall has defined the Class (the “Class”) to include the following people:

From 1 January 2012 to 12 September 2014, Plaintiff Goodman and all similarly situated participants and beneficiaries who were included in the Crittenden Regional Hospital Health Plan, excluding the defendants sued in the Lawsuit and their affiliates and families, and the Judge in this case and his staff.

You are a member of the Class if you were a participant or beneficiary under the Crittenden Regional Hospital Health Plan (the “Plan”) during the time period of January 1, 2012 through September 12, 2014. The Plan was self-funded by Crittenden Regional Hospital, not insured by any defendant.

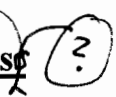
If you received this Notice by mail, the attorneys representing Ms. Goodman and the Class believe that you are likely a member of the Class.

3. What is the Lawsuit About?

The Lawsuit is about allegations that Defendants Crittenden Regional Hospital (“Hospital”), certain of its former officers and directors and Cigna Health and Life Insurance Company (the “Defendants”) breached their legal duties under ERISA in connection with the Hospital’s failure to fully fund Crittenden Hospital Healthcare Plan.

The Defendants deny any wrongdoing, and assert that the financial circumstances that resulted in the Hospital’s bankruptcy unfortunately left it unable to pay all of the outstanding health claims. The Defendants also assert that many medical providers agreed not to bill or seek payment from Plan members even though the Hospital has not paid their charges.

Judge Marshall has not decided whether Ms. Goodman and the Class will win or lose the Lawsuit, and his decision to certify the Class should not be viewed as any indication that the Lawsuit can or will be successful for the Class.

4. **Who are the Attorneys Representing the Class?** 

The Court has appointed the following attorneys as Class Counsel. These Attorneys represent Ms. Goodman and all other members of the Class:

Denny Sumpter, Esq.
ROGERS, COE & SUMPTER
123 W. Broadway
West Memphis, Arkansas 72301
Phone: (870) 735-1900
Fax: (870) 735-1662
Email: dennysumpter@yahoo.com

Frank L. Watson, III, Esq.
William F. Burns, Esq.
WATSON BURNS, PLLC
253 Adams Avenue
Memphis, Tennessee 38103

John Timothy Edwards
BALLIN BALLIN & FISHMAN, P.C.
Suite 1250
200 Jefferson Ave.
Memphis, TN 38103

If you have any questions you would like to ask the Class Attorneys, please contact Mr. Sumpter above.

5. **If I am a Member of the Class, Do I Need to Do Anything?**

No. If you are a member of the Class, you do not need to do anything at this time.

However, if you are receiving collection notices or other communications from health care providers or collection agencies regarding medical bills that have not been paid by the Plan, you should notify Class Counsel immediately.

6. **As a Member of the Class, How Does the Lawsuit Affect Me?**

The Lawsuit is being brought on behalf of the Crittenden Health Insurance Plan and the outcome of the Lawsuit will determine whether you get any benefit or money. You cannot file your own individual lawsuit concerning the Plan for violations of ERISA.

7. **Can the Attorneys Representing the Defendants Communicate with Me?** ✓

No. You and the other members of the Class are represented by the Class Attorneys. The attorneys representing the Defendants are prohibited by law from communicating with you and all other members of the Class about the Lawsuit.

8. **Where Can I Get More Information About the Lawsuit?** ✓

If you have any questions about the Lawsuit or any portion of this Notice, you may call Mr. Sumpter at (870) 735-1900 or you may visit [www.CHALawsuit.com] where you may view court documents and other pertinent materials and obtain updates concerning the Lawsuit. PLEASE DO NOT CALL OR WRITE THE DEFENDANTS, THE COURT, OR THE CLERK'S OFFICE.