

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA, *ex rel.*
Jacob Kuriyan and STATE OF NEW MEXICO,
ex rel. Jacob Kuriyan,

Plaintiffs,

vs.

No. CIV 16-1148 JB/KK

HEALTH CARE SERVICES CORPORATION
doing business as BLUE CROSS & BLUE
SHIELD OF NEW MEXICO; MOLINA
HEALTHCARE OF NEW MEXICO, INC.;
PRESBYTERIAN HEALTH PLAN, INC.;
UNITEDHEALTHCARE OF NEW MEXICO,
INC. and HCSC INSURANCE SERVICES CO
doing business as BLUE CROSS & BLUE
SHIELD OF NEW MEXICO,

Defendants.

MEMORANDUM OPINION AND ORDER

THIS MATTER comes before the Court on the letter from Paul R. Ritzma, Chief General Counsel, New Mexico Human Services Department, to the Court (dated August 17, 2022), filed August 17, 2022 (Doc. 327 (Ex Parte))("Letter"). The Letter concerns: (i) an objection from the June 2, 2022 deposition of Jason Sanchez, filed June 17, 2022 (Doc. 288-7)("Sanchez Dep."); (ii) an objection from the June 1, 2022 deposition of Brent Earnest, filed June 17, 2022 (Doc. 288-6)("Earnest Dep."); and (iii) Relator's Notice of Questions for Brent Earnest and Jason Sanchez, filed July 15, 2022 (Doc. 310)("Proposed Questions").

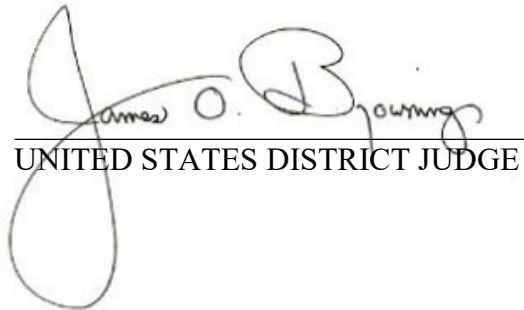
1. Jason Sanchez. The fact that an attorney talks to a client is not privileged. Sanchez will need to answer the question that was presented, *i.e.*, "Did Mr. Ritzma say anything in the e-

mail that accompanied these documents?" See Sanchez Dep. at 3. He may give a one-word answer.

2. Brent Earnest. Earnest does not need to answer the question to which Mr. Ritzma objects, i.e., "What about the deposition?" See Earnest Dep. at 4.

3. Proposed Questions. Relator Jacob Kuriyan may ask question number five from the list of Proposed Questions, but not the follow-up question or any other questions. See Proposed Questions at 2. The deponents may answer question number five with a one-word answer.

IT IS ORDERED that: (i) Jason Sanchez will need to answer the question that was posed, i.e., "Did Mr. Ritzma say anything in the e-mail that accompanied these documents?"; (ii) Brent Earnest does not need to answer the question to which Mr. Ritzma objects, i.e., "What about the depositions?"; (iii) Sanchez and Earnest will need to answer question five from Relator's Notice of Questions for Brent Earnest and Jason Sanchez, filed July 15, 2022 (Doc. 310); and (iv) no other question may be asked or need be answered.



UNITED STATES DISTRICT JUDGE

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