



were members of a group of insured persons covered under the Group Policy during the relevant time period (Id.).

Anthem and the City of Cincinnati deny these allegations that have been made by the class and believe that proceeds from the demutualization properly were distributed to the City.

### **COURT ORDER ON DISCOVERY FROM CLASS MEMBERS**

The Court is presently considering motions filed by the parties that relate to whether you and the other class members will be entitled to receive compensation as the class has alleged or whether the class is not entitled to compensation as alleged by both Anthem (now Wellpoint) and the City of Cincinnati. On December 2, 2009, the Court authorized limited fact-finding of you and others regarding your participation in the City's group health care benefits contracts. That is why you are now being contacted. You will be contacted again and kept informed of your rights and of the progress of the lawsuit as the case proceeds.

### **NEXT STEPS – ACTION YOU CAN TAKE**

1. Look for your Anthem policy or plan records. Collect everything you have except your personal claim records. We do not seek any of your private medical information.. We only seek records related to your rights under the Anthem group insurance plans, particularly those that relate to the 1995 – 2001 time period.
2. Call Class Counsel immediately so a member of the class counsel team can obtain a copy of your records.
3. *Time is of the essence. Please respond promptly but no later than January 27, 2010.* The Court has set a hearing for February 10, 2010 at 2:00 p.m. to review the results of this inquiry to the class. Counsel for the parties need time to review your documents before that hearing.
4. If you have questions, and/or if you have documents for class counsel to review please call:

Alphonse A. Gerhardstein  
Gerhardstein & Branch LPA  
432 Walnut Street Suite 400  
Cincinnati, Ohio 45202  
513.621.9100  
agerhardstein@gbfirm.com  
www.gbfirm.com

When you call speak to either Jen Thompson or Laura Sinclair.

5. As a member of the Class, you will be kept informed of all important developments. If you want to see the pleadings in the lawsuit log on to [www.gbfirm.com](http://www.gbfirm.com) and look for the "Mell v. Anthem" litigation documents.

**Remember, Respond to:**

**Al Gerhardstein**

**513.621.9100**

**and speak with either Jen Thompson or Laura Sinclair**