

IN THE COURT OF COMMON PLEAS
FOR PHILADELPHIA COUNTY

PENNSYLVANIA ORTHOPAEDIC SOCIETY,
on behalf of its members and all others similarly
situated individuals,

Plaintiffs

v.

INDEPENDENCE BLUE CROSS, et al.
Defendants.

COURT OF COMMON PLEAS
PHILADELPHIA COUNTY

DECEMBER TERM, 2002
NO. 0002

ASSIGNED TO COMMERCE
PROGRAM

PRESENTED FOR REVIEW
2003 JUN 19 AM 9:55
PRO PROTHY

ROBERT P. GOOD, M.D., on behalf of himself
and all others similarly situated,

Plaintiffs

v.

INDEPENDENCE BLUE CROSS, QCC
INSURANCE COMPANY, KEYSTONE
HEALTH PLAN EAST, INC., AMERIHEALTH
HMO, INC., and AMERIHEALTH, INC.
Defendants.

COURT OF COMMON PLEAS
PHILADELPHIA COUNTY

DECEMBER TERM, 2002
NO. 0005

ASSIGNED TO COMMERCE
PROGRAM

JOHN R. GREGG, M.D.

and

VINCENT J. DISTEFANO, M.D., on behalf of
themselves and all others similarly situated,
Plaintiffs

v.

INDEPENDENCE BLUE CROSS, QCC
INSURANCE COMPANY, KEYSTONE
HEALTH PLAN EAST, INC., AMERIHEALTH
HMO, INC. and AMERIHEALTH, INC.
Defendants.

COURT OF COMMON PLEAS
PHILADELPHIA COUNTY

JURY TRIAL DEMANDED

DECEMBER TERM, 2000

NO.: 03482

ASSIGNED TO COMMERCE
PROGRAM

ORDER

AND NOW, this 19th day of June, 2003 upon consideration of the parties' Joint Motion for Preliminary Approval of the Class Action Settlement Agreement, it is hereby ORDERED that the motion is GRANTED and the Class Action Settlement Agreement is preliminarily approved.

It is further ORDERED that Gregg, et al. v. Independence Blue Cross, et al., Good v. Independence Blue Cross et al., and Pa. Orthopaedic Society v. Independence Blue Cross, et al., are consolidated as Good v. Independence Blue Cross for purposes of settlement only.

It is further ORDERED pursuant to Pennsylvania Rule of Civil Procedure 1710 that conditional certification for settlement purposes only of the class of Providers as defined in the Class Action Settlement Agreement is GRANTED.

The Settlement Class shall include:

All Providers (1) who submitted claims for payment or reimbursement to Independence Blue Cross and/or any Released Party for medical services, procedures and/or products and (2) who have been, claim to have been, and/or may have been denied payment or reimbursement or have, claim to have, and/or may have received reduced payment or reimbursement on such claims. The Settlement Class includes, but is not limited to, all claims by Providers for downcoding and/or bundling, however described or characterized.

The term "Providers" includes:

[A]ny and all physicians, health care providers, group practices and/or any individual or group that (1) provides, or provided at any time during the period January 1, 1993 to the date of Final Judicial Approval, medical services, procedures and/or products to an individual who has, or had at any time through the date of Final Judicial Approval, health insurance through Independence Blue Cross and/or any Released Party or (2) submitted at any time during the period January 1, 1993 to the date of Final Judicial Approval, a claim for payment or reimbursement for any medical services, procedures and/or products to Independence Blue Cross and/or any Released Party. As used herein, Providers shall also refer to any association of Providers, including any medical or

professional association of any kind. The term "Providers" shall not include hospitals.

It is further ORDERED that the parties are required to disseminate the notice on the following web pages not later than June 20, 2003: www.ibx.com and www.paorthosociety.com. The parties shall also disseminate the notice, or a summary thereof, via publication in the Philadelphia Inquirer on or before June 25, 2003, and on the Internet via www.businesswire.com or other similar Internet news distribution service by June 20, 2003.

It is further ORDERED that Independence Blue Cross is required to disseminate notice to the class via U.S. mail not later than June 30, 2003, as set forth in the Class Action Settlement Agreement.

It is further ORDERED that the Opt-Out Period shall end on August 1, 2003, as set forth in the Class Action Settlement Agreement.

It is further ORDERED that the period for filing objections to the Class Action Settlement Agreement shall end on August 1, 2003, as set forth in the Class Action Settlement Agreement.

It is further ORDERED that a fairness hearing will be held before this Court on August 21, 2003 at 9:30 a.m.

BY THE COURT:



Albert W. Sheppard, Jr., J.