

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

No. 334 M.D. 2014

Commonwealth of Pennsylvania, By Josh Shapiro, Attorney General; Pennsylvania Department of Insurance, by Jessica K. Altman, Insurance Commissioner and Pennsylvania Department of Health, By Rachel Levine, Secretary of Health,

Petitioners,

v.

UPMC, A Nonprofit Corp.; UPE, a/k/a Highmark Health, A Nonprofit Corp. and Highmark, Inc., A Nonprofit Corp.,

Respondents.

HIGHMARK'S WITNESS LIST

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HIGHMARK'S WITNESS LIST

Pursuant to this Court's Scheduling Order dated June 3, 2019, Highmark hereby submits the following list identifying the witnesses it may call at the evidentiary hearing in this matter, as well as a brief summary of the witnesses' anticipated testimony:

1. **Deborah L. Rice-Johnson** – President, Highmark Inc.: Ms. Rice-Johnson may testify regarding Highmark's interpretation and understanding of the terms of the Consent Decrees, including the Modification Provision, the negotiation and execution of the Consent Decrees as well as the healthcare dynamic in Western Pennsylvania at the time the Consent Decrees were negotiated, the primary business objectives leading up to the Consent Decrees, subsequent changes in UPMC's conduct since the Consent Decrees were negotiated, Highmark's intent in entering the Consent Decree, and the purpose of the Consent Decrees.
2. **Thomas L. VanKirk, Esq.** - Executive Vice President, Chief Legal Officer and Secretary of Highmark Health: Mr. VanKirk may testify regarding the negotiation and execution of the Consent Decrees, Highmark's interpretation and understanding of the terms of the Consent Decrees, including the Modification Provision, the purpose of the Consent Decrees, and Highmark's intent concerning the Consent Decrees, including the Modification Provision.

Highmark is unable at present to identify witnesses it may wish to call in rebuttal to the evidence presented by other parties and reserves all rights to call any such rebuttal witnesses as may be necessary.

Respectfully submitted,

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By: /s/ Douglas E. Cameron

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CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by:	UPE, a/k/a Highmark Health and Highmark Inc.
Signature:	<u>/s/ Douglas E. Cameron</u>
Name:	Douglas E. Cameron
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CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that on this 6th day of June, 2019,
a true and correct copy of the foregoing document was served upon the following
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