

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

**IN RE:
BLUE CROSS BLUE SHIELD
ANTITRUST LITIGATION
(MDL NO. 2406)**

Master File No. 2:13-CV-20000-RDP

**This Document Relates to
Provider Track Cases**

**PROVIDER PLAINTIFFS' MOTION FOR APPROVAL OF MATERIAL LOSS
CONTINGENCY RESERVE**

The Settlement Agreement between the Blues and the Providers allows Settlement Class Counsel to seek approval for a Material Loss Contingency Reserve if they anticipate that Notice and Administration Costs will exceed \$100 million. Doc. No. 3192-2 (“Settlement Agreement”) ¶¶ 1(ggg). The Material Loss Contingency Reserve cannot exceed 2% of the Net Settlement Fund, or approximately \$39 million. *Id.* ¶ 1(ww).

After consulting with the Settlement Administrator about anticipated Notice and Administration Costs, Settlement Class Counsel believes that \$100 million will be insufficient to pay for Notice and Administration Costs, and that a request of \$10 million for the Material Loss Contingency Reserve is appropriate. A declaration of the Settlement Administrator, attached as Exhibit A, explains how he has budgeted for Notice and Administration, and why Notice and Administration costs are likely to exceed \$100 million.

CONCLUSION

For the foregoing reasons, the Court should approve a Material Loss Contingency Reserve of \$10 million.

Respectfully submitted the 22nd day of July, 2025.

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