

ORAL ARGUMENT NOT YET SCHEDULED

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

ASSOCIATION FOR)
COMMUNITY AFFILIATED)
PLANS, ET AL.,)
Appellants,)
v.)
UNITED STATES DEPARTMENT)
OF THE TREASURY, ET AL.,)
Appellees.)

Docket No. 19-5212

**MOTION FOR LEAVE TO FILE AN *AMICUS CURIAE* BRIEF
ON BEHALF OF JAMES J. DONELON
COMMISSIONER OF INSURANCE FOR THE STATE OF LOUISIANA**

NOW INTO COURT, through undersigned counsel, comes James J. Donelon, in his capacity as the Commissioner of Insurance for the State of Louisiana, who respectfully requests that this Honorable Court allow him to file an *amicus curiae* brief in the above-captioned matter.

1.

The Commissioner of Insurance has an interest in this matter as the regulator of Louisiana’s insurance industry pursuant to the authority of the Louisiana

Constitution, Article XI. Accordingly, the Commissioner of Insurance has the duty to regulate Louisiana's health care insurance industry, which will be affected by this matter.

2.

The brief submitted by the Commissioner of Insurance will be helpful to this Court in that it will provide insight to this Court on the issues particular to the Louisiana insurance industry and support of the final rule on Short-Term, Limited-Duration Insurance, 83 Fed. Reg. 38212 (Aug. 3, 2018) (codified at 26 C.F.R. §54;29 C.F.R. §2590; and 45 C.F.R. §§144,146, 148) ("2018 Rule").

WHEREFORE, the Commissioner of Insurance prays that its Motion for Leave to File an *Amicus Curiae* Brief be granted.

Respectfully submitted,

LOUISIANA DEPARTMENT
OF INSURANCE

Dated: February 17, 2020

By: /s/Monica Derbes Gibson
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CERTIFICATE OF SERVICE

I hereby certify that on February 17, 2020, I caused a true and correct copy of the foregoing to be served on all counsel of record through this Court's CM/ECF system.

/s/Monica Derbes Gibson

Monica Derbes Gibson