

**EXHIBIT F**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
Miami Division**

**IN RE: MANAGED CARE LITIGATION**

**MDL NO. 1334**

**THIS DOCUMENT RELATES ONLY TO  
PROVIDER TRACK CASES**

**MASTER FILE NO.  
00-1334-MD-  
MORENO**

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**CHARLES B. SHANE, M.D., et al.**  
Plaintiffs,

v.

**Case No. 04-21589-  
CIV-MORENO**

**HUMANA INC., et al.,**  
Defendants.

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**KENNETH A. THOMAS, M.D., et al.**  
Plaintiffs

v.

**Case No. 03-21296-  
CIV-MORENO**

**BLUE CROSS AND BLUE SHIELD  
ASSOCIATION, et al.,**  
Defendants.

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**NOTICE OF PROPOSED SETTLEMENT WITH WELLPOINT**

**IF YOU ARE A PHYSICIAN WHO PROVIDED COVERED SERVICES TO ANY INDIVIDUAL ENROLLED IN OR COVERED BY CERTAIN HEALTH CARE PLANS AT ANY TIME BETWEEN AUGUST 4, 1990 AND \_\_\_\_\_, 2005, OR A PHYSICIAN GROUP OR OTHER PHYSICIAN ORGANIZATION THAT INCLUDES SUCH PHYSICIANS, PLEASE READ THIS NOTICE CAREFULLY. THE CLASS ACTIONS AND THE PROPOSED SETTLEMENT MAY AFFECT YOUR RIGHTS.**

If you are or have been a physician, physician group, or physician organization who or which practiced in the United States since August 1990, your rights may be affected by a proposed settlement with WellPoint, Inc. in the class action lawsuits known as In re Managed Care Litigation, MDL Docket No. 1334, which includes Shane v. Humana, Inc., et al., Master File No. 00-1334-MD-MORENO ("Shane I") and Shane v. Humana Inc., et al., Case No. 04-21589-CIV-MORENO ("Shane II") and in Thomas v. Blue Cross and Blue Shield Assoc., et al., Case No. 03-21296-CIV-Moreno/Klein ("Thomas") (collectively the "Actions"), which are pending in the U.S. District Court for the Southern District of Florida (the "Court"). The class representatives and certain medical societies have agreed to settle all claims against WellPoint, Inc. and current and former direct and indirect subsidiaries and affiliates of WellPoint, Inc. and the former Anthem, Inc. ("WellPoint") in the Actions in exchange for WellPoint's adoption of a number of changes to its business practices and the establishment of a settlement fund against which members of the Class (as defined below) can make claims for settlement payment. The Court has scheduled a hearing to consider the fairness, reasonableness and adequacy of the proposed settlement with WellPoint, together with certain other matters, to be held on \_\_\_\_\_, 2005, at \_\_\_\_\_:00 A.M./P.M., at the United States Courthouse, Courtroom IV, Tenth Floor, Federal Justice Building, 99 Northeast Fourth Street, Miami, Florida, 33132. You may be a member of the Class who would be entitled to receive the benefits of the proposed settlement. As a member of the Class, however, you will also be bound by the release and other provisions of the settlement if it is approved by the Court. You may elect to opt-out of the Class and the settlement, as explained below. You also have a right to object to the settlement or to the applications for attorneys' fees and representative plaintiffs' fees that counsel for the Class

intend to make to the Court, but only if you comply with the procedures described in this notice or the other resources it refers to.

#### WHAT IS THE LITIGATION ABOUT?

The Actions have been brought by the representative plaintiffs, who are practicing or retired physicians from around the United States, and by certain medical societies against a number of health care insurance companies, including: Aetna, Inc., Aetna USHC, Inc., Anthem, Inc. (now known as WellPoint, Inc.), CIGNA, Coventry Health Care, Inc., WellPoint Health Networks Inc., Humana Health Plan, Inc., Humana Inc., PacifiCare Health Systems, Inc., Prudential Insurance Company of America, United Health Care, United Health Group, Blue Cross of California, Rocky Mountain Hospital and Medical Service, Inc., Anthem Blue Cross and Blue Shield of Colorado, Community Insurance Company, Anthem Health Plans, Inc., Anthem Insurance Companies, Inc., Blue Cross and Blue Shield of Georgia, Inc., Anthem Health Plans of Kentucky, Inc. Anthem Health Plans of Maine, Inc., RightCHOICE Managed Care, Inc. (d/b/a Blue Cross and Blue Shield of Missouri), Anthem Health Plans of New Hampshire, Inc., Anthem Health Plans of Virginia, Inc., Blue Cross Blue Shield of Wisconsin, the Blue Cross and Blue Shield Association ("BCBSA") and various licensees of the BCBSA. The complaints in the Actions allege, among other things, that between 1990 and the present, these companies engaged in one or more conspiracies to improperly deny, delay and/or reduce payment to physicians, physician groups, and physician organizations by engaging in several types of allegedly improper conduct. The complaints in the Actions seek relief on behalf of a purported nationwide class under various theories arising under federal and state statutory and common law.

### WHO IS INVOLVED?

The proposed settlement, which is only with WellPoint and not any of the other defendants in the Actions, will be on behalf of a settlement class (the "Class") consisting of any and all physicians, physician groups and physician organizations who provided covered services to any individual enrolled in or covered by a plan offered or administered by WellPoint, any other person named as a defendant in the complaints in the Actions, or by any of the current or former subsidiaries or affiliates of any of the foregoing, during the period beginning on August 4, 1990 and ending on \_\_\_\_\_, 2005 (the date that the Court entered its order preliminarily approving the proposed settlement and directing that this notice be provided to you).

### THE PROPOSED SETTLEMENT

Under the proposed settlement, WellPoint has agreed that it will make significant changes to certain business practices. In addition, WellPoint will fund a settlement fund against which individual physicians who are members of the Class will be able to make claims for a settlement payment according to a formula that is set forth in the settlement agreement. This settlement consideration is described more fully in a longer notice that has been mailed directly to the members of the class. If you have not received the mailed notice, you can access it and other information about the settlement at [[www.hmosettlements.com](http://www.hmosettlements.com)], or use the resources described below.

Only claims against WellPoint, claims against others based on WellPoint's conduct, as distinct from the conduct of other such persons or entities, and claims for monetary relief against the BCBSA will be resolved in the Actions if the settlement is approved. The other defendants are not parties to the

settlement and even if the settlement is approved by the Court, the representative plaintiffs and the signatory medical societies who are parties to the Actions intend to continue to prosecute their claims against the other defendants in the Actions, who are not parties to this settlement or any other settlement.

### YOUR RIGHTS

If you want to participate in the proposed settlement fund, you must complete, sign and return a Claim Form to the settlement administrator BY NO LATER THAN [90 days after Notice Date]. The form and the address to which it must be sent can be obtained at [[www.hmosettlements.com](http://www.hmosettlements.com)]. If you are a member of the class and submit a claim form or if you do not do anything, you will be considered a participant in the proposed settlement, but you will only be entitled to payment if you timely submit a Claim Form. In either case, you will be bound by all orders of the Court relating to the settlement and if the settlement is approved, certain possible legal claims you may have against WellPoint (which WellPoint disputes), will be resolved and forever released.

If you want to be excluded from the proposed settlement, you must submit a request for exclusion. This must be signed by you and must include: your name, business address and telephone number and all federal tax identification numbers under which you have sought or received reimbursement from WellPoint or any of the other health care insurance companies identified above. The completed request must be POSTMARKED NO LATER THAN [\_\_\_\_], 2005, and mailed to:

### **[INSERT SETTLEMENT ADMIN. INFO.]**

The Court has scheduled a hearing to consider the proposed

settlement and other matters, which will take place on \_\_\_\_\_, 2005, at \_\_\_\_\_:00 A.M./P.M., at the United States Courthouse, Courtroom IV, Tenth Floor, Federal Justice Building, 99 Northeast Fourth Street, Miami, Florida, 33132. At that hearing, the Court will determine, among other things, whether the proposed settlement with WellPoint should be approved as fair, reasonable and adequate, whether the proposed settlement class should be certified, whether the Court should award attorneys' fees and expenses to plaintiffs' counsel or to the representative plaintiffs in the Actions, and certain other matters. You may attend this hearing if you wish, but you do not have to attend in order to participate in the proposed settlement.

If you wish to appear at the settlement hearing or to object to the proposed settlement, you must submit a written objection and/or notice to appear in accordance with the procedures and deadlines that are described in the longer notice. If you have not received that notice, you should request it from one of the sources identified below. If these procedures and deadlines are not followed, you may lose significant legal rights, including, but not limited to, the right to have your objections considered by the Court.

**For Complete Information and a Copy of the Full Notice:**

**Please do not contact the Court directly.**

Call: 1-800-866-809-8003

Or Write to:

Archie C. Lamb, Jr.  
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L.L.C.  
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Or Visit:

[www.\\_\\_\\_\\_\\_.com](http://www._____.com)  
[www.WhatlevDrake.com](http://www.WhatlevDrake.com)  
[www.ArchieLamb.com](http://www.ArchieLamb.com)  
[www.milbergweiss.com](http://www.milbergweiss.com)  
[www.kttlaw.com](http://www.kttlaw.com)  
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