

GREENBERG TRAUERIG, LLP
10845 Griffith Peak Drive, Suite 600, Las Vegas, Nevada 89135
Telephone: (702) 792-3773

1 **OGM**
2 MARK E. FERRARIO, ESQ.
3 Nevada Bar No. 01625
4 KARA B. HENDRICKS, ESQ.
5 Nevada Bar No. 07743
6 AKKE LEVIN, ESQ.
7 Nevada Bar No. 09102
8 **GREENBERG TRAUERIG, LLP**
9 10845 Griffith Peak Drive, Suite 600
10 Las Vegas, Nevada 89135
11 Telephone: 702.792.3773
12 Facsimile: 702.792.9002
13 Email: ferrariom@gtlaw.com
14 hendricksk@gtlaw.com
15 akke.levin@gtlaw.com

16 *Counsel for Petitioner*

17 **EIGHTH JUDICIAL DISTRICT COURT**
18 **CLARK COUNTY, NEVADA**

19 SCOTT J. KIPPER, COMMISSIONER OF
20 INSURANCE, STATE OF NEVADA,

21 Petitioner,

22 vs.

23 FRIDAY HEALTH PLANS OF NEVADA, INC.,

24 Defendant.

CASE NO. A-23-871639-C
DEPARTMENT 18

25 **ORDER GRANTING MOTION FOR ORDER TO SHOW CAUSE WHY**
26 **FHP INC and FHP MSC SHOULD NOT BE HELD IN CONTEMPT AND**
27 **SCHEDULING OF SHOW CAUSE HEARING**

28 Petitioner, COMMISSIONER OF INSURANCE, STATE OF NEVADA¹, as Receiver
("Commissioner" or "Receiver") for FRIDAY HEALTH PLANS OF NEVADA, INC. ("Friday
Health" or the "Company"), filed a Motion for Order to Show Cause by FHP Parent Entities Should
Not be Held in Contempt ("Motion") which came for hearing on March 31, 2026, Kara B. Hendricks

¹ Ned Gaines was appointed as the Nevada Commissioner of Insurance effective October 6, 2025. Pursuant to NRCPC 25(d), when a public officer stops holding office while an action is pending, "[t]he officer's successor is automatically substituted as a party."

1 and Akke Levin appearing on behalf of the Receiver and Candace C. Carlyon making a special
2 appearance on behalf of FHP ABC, LLC² (“FHP ABC”). FHP ABC and the Receiver stipulated, and
3 the Court ordered, that the hearing “shall be limited as to ABC to jurisdictional issues only (including,
4 without limitation, sufficiency of service of process, personal jurisdictional, and venue, as applicable).
5 This Order will address the arguments relating to FHP MSC and FHP INC only and a separate order
6 will issue as to the FHP ABC jurisdictional issues.

7 The Court, having reviewed the Motion, and noting that no opposition has been filed Friday
8 Health Plans Management Services Company, Inc. (“FHP MSC”) and Friday Health Plans, Inc. (“FHP
9 INC”), and having heard argument, the Court finds and orders as follows:

10 **A. FINDINGS OF FACT³**

11 1. FHP Health NV was an insurer incorporated in Nevada that offered life and health
12 products and health insurance.

13 2. Friday Health NV had no employees.

14 3. FHP MSC provided specified administrative and management services to Friday
15 Health NV under a Management Services Agreement (“Management Agreement”).

16 4. FHP MSC was a wholly owned subsidiary of FHP INC. which controlled Friday Health
17 NV’s financial assets and did all the actual work of the Company.

18 5. The Management Agreement provided that FHP MSC conducted banking, collections,
19 payments and related activities, legal and regulatory affairs, real estate, office equipment and supplies,
20 treasury and investments, and general administration, including tax, insurance and support. Pursuant
21 to the Management Agreement, when FHP MSC received insurance charges or premiums on the
22 Company’s behalf they were held by FHP MSC in a fiduciary capacity for Friday Health NV.

23 6. On June 1, 2023, the Nevada Commissioner of Insurance filed a petition for
24 appointment of a receiver over Friday Health NV and sought a temporary injunction and other
25 injunctive relief (“Receivership Petition”). The Receivership Petition was filed with the consent of
26

27 ² Pursuant to that agreement, the only determination with respect to FHP ABC is with its objection to this
Court’s personal jurisdiction. This order does not constitute any determination with respect to FHP ABC.

28 ³ If any finding of fact is more properly considered a conclusion of law, it shall be so deemed.

1 the Board of FHP INC and the Board of Friday Health NV and each agreed to the proposed injunctive
2 relief.

3 7. On June 12, 2023, this Court authorized the Nevada Insurance Commissioner to assume
4 control over Friday Health NV as a receiver (the “Receiver”). The order entered permanently enjoined
5 all persons other than the Receiver from, among other things, disbursing, committing, transferring,
6 substituting, or withdrawing any funds from Friday Health NV’s accounts, or removing other property
7 from, controlled, or owned by Friday Health NV (“Receivership Order”). The Receivership Order
8 provided that the Receiver is vested with title to Friday Health NV’s assets, wherever located, held by
9 “its managers, parents, subsidiaries, affiliated corporations, or those acting in concert with [them].

10 8. The Receiver contends that just weeks after the Receivership Order was entered, FHP
11 INC and FHP MSC began efforts to transfer and/or assign Friday Health NV assets to FHP ABC.⁴
12 Specifically, representatives for FHP INC, FHP MSC exchanged emails in June of 2023 in which they
13 discussed transferring funds that FHP MSC held in trust for Friday Health NV to a newly created
14 entity, FHP ABC. *See* Appendix to Motion at Exhibit D.

15 9. To support his position, the Receiver provided, by way of example, an email dated
16 June 29, 2023, that indicates Randy Soref, counsel for on the ABC entities, emailed Chris Arnett at
17 Alvarez Marshall indicating that “states” (such as Nevada) could force a transfer of the funds held by
18 FHP MSC but that such funds would not be paid out “prior to the ABC[’s creation]” and would be
19 “assigned to” FHP ABC. *Id.* Steven Victor, who submitted a declaration in support of FHP ABC’s
20 Opposition herein, is copied on the June 29, 2023 email. Another email that same day indicates FHP
21 INC and FHP ABC were aware that at least \$4,534,449 was due back to the states based on
22 management fees that were taken although services were never provided. *Id.*

23 10. On July 21, 2023, a General Assignment for the Benefit of Creditors (“Assignment”)
24 was entered between FHP INC and FHP MSC on the one hand and FHP ABC on the other which
25 specifically reference this Court’s Receivership Order and transfers certain assets of FHP INC and
26 FHP MSC to FHP ABC, including accounts titled in FHP INC and FHP ABC (the “ABC Accounts”).

27 ⁴ Around this same time, a number of receivers were appointed in other states wherein FHP INC had established
28 substantially similar state insurance companies with substantially similar management agreements with FHP
MSC.

1 11. On July 24, 2023, FHP ABC filed a Verified Petition for Assignment for the Benefit of
2 Creditors in the Court of Chancery of the State of Delaware as Case No. 2023-0751 (“ABC
3 Proceeding”) which also references the Receivership Petition and this Court’s Receivership Order and
4 references a draft Transition Services Agreement intended, *inter alia*, to allow for the orderly
5 administration of insurance claims by the Receiver.

6 12. On December 23, 2025, the Receiver filed the Motion for Contempt.

7 13. Neither FHP INC nor FHP MSC filed an opposition to the Motion.

8 14. On February 2, 2026, the Receiver and FHP ABC stipulated that the scheduled hearing,
9 as to FHP ABC, would be limited solely to threshold jurisdictional issue. *See* SAO, on file. FHP
10 ABC filed an opposition to the Motion that same day.

11 **B. CONCLUSIONS OF LAW⁵**

12 **1. The UILA Applies to Friday Health’s Liquidation**

13 16. Nevada has adopted the Uniform Insurers Liquidation Act (“UILA”), which is codified
14 in NRS 696B.280(1), “NRS 696B.030 to 696B.180, inclusive, (definitions) and NRS 696B.290
15 to 696B.340, inclusive . . .” NRS 696B.280(1); *see also Frontier Ins. Serv. Inc. v. State ex rel. Gates*,
16 849 P.2d 328, 331 (Nev. 1993) (“Nevada has adopted the [UILA]”); *Integrity Ins. Co. v. Martin*, 769
17 P. 2d 69, 70 (Nev. 1989) (holding same, citing and quoting NRS 696B.280(1)).

18 17. “The purpose of the UILA is to bar claimants from directly interfering with liquidation
19 proceedings,” *Hawthorne Sav. F.S.B. v. Reliance Ins. Co. of Ill.*, 421 F.3d 835, 855 (9th Cir. 2005),
20 and more generally “to make uniform the laws of those states which enact it.” *Frontier Ins. Serv.*
21 *Inc.*, 849 P.2d at 331 (quoting NRS 696B.280).

22 **2. FHP INC and FHP MSC Did Not File an Opposition to the Motion**

23 18. Under NRS 696B.200, the Court has jurisdiction over “related persons” to the insurer
24 against whom an order of liquidation has been entered—here, Friday Health NV. “Related persons”
25 include those who are “obligated to the insurer as a result of agency. . .” NRS 696B.200(1)(a). Related
26 persons also include “[p]ast or present officers, managers, trustees, directors, organizers and promoters
27 of the insurer, and other persons in positions of similar responsibility with the insurer.”

28 ⁵ If any conclusion of law is more properly considered a finding of fact, it shall so be deemed.

1 NRS 696B.200(1)(c). Additionally, as referenced above, FHP INC consented to the Receivership
2 Petition and was aware of the Receivership Order.

3 19. A party seeking to oppose any motion must file an opposition within 14 days after
4 service of the motion, “together with a memorandum of points and authorities and supporting
5 affidavits, if any, stating facts showing why the motion . . . should be denied.” EDCR 2.20(e). “Failure
6 of the opposing party to serve and file written opposition may be construed as an admission that the
7 motion . . . is meritorious and a consent to granting the same.” *Id.*

8 20. FHP INC and FHP MSC failed to file an Opposition to the Motion. Because they have
9 neither contested jurisdiction nor the merits of the Receiver’s Motion, the Court grants the Motion as
10 to FHP INC and FHP MSC pursuant to EDCR 2.20(e) and for the reasons set forth in the Motion and
11 Reply.

12 **WHEREFORE IT IS ORDERED** that the Motion is GRANTED in full as to FHP INC and
13 FHP MSC;

14 **WHEREFORE IT IS FURTHER ORDERED** that FHP INC and FHP ABC shall appear
15 before the above entitled District Court, Department, on _____ 2026 at _____ and show
16 cause why they should not be held in contempt.

17 **IT IS SO ORDERED.**

Dated this 27th day of May, 2026

Mary Kay Holthus

**3AC 2D3 7764 5B4B
Mary Kay Holthus
District Court Judge**

18
19
20
21 Submitted by:
GREENBERG TRAURIG, LLP

22 */s/ Kara B. Hendricks*

23 _____
24 MARK E. FERRARIO, ESQ.
25 Nevada Bar No. 01625
26 KARA B. HENDRICKS, ESQ.
27 Nevada Bar No. 07743
28 JERRELL L. BERRIOS, ESQ.
Nevada Bar No. 15504
10845 Griffith Peak Drive, Suite 600
Las Vegas, Nevada 89135
Attorneys for Petitioner

Approved as to form by:
CARLYON CICA CHTD.

/s/ Candace C. Carlyon

CANDACE C. CARLYON, ESQ.
Nevada Bar No. 02666
265 E. Warm Springs Road, Suite 107
Las Vegas, Nevada 89119
Attorney for FHP ABC, LLC

Escobar-Gaddi, Evy (LSS-LV-LT)

From: Candace Carlyon <ccarlyon@carlyoncica.com>
Sent: Friday, May 22, 2026 3:26 PM
To: Escobar-Gaddi, Evy (LSS-LV-LT)
Cc: Nancy Arceneaux; Levin, Akke (OfCnl-LV-LT)
Subject: Re: FHP NV

Follow Up Flag: Follow up
Flag Status: Completed

Thank you so much for your patience. Yes, you may submit with my approval as to form. Have a great weekend. Candace
Candace Carlyon, Esq.
ccarlyon@carlyoncica.com
265 E. Warm Springs Road, Suite 107
Las Vegas, NV 89119
702.685.4444(office)
702.254.1076 (direct)

On May 22, 2026, at 12:47 PM, escobargaddie@gtlaw.com wrote:

Good afternoon Ms. Carlyon. Please let me know if I may affix your electronic signature on the attached Orders. You requested yesterday to give you one hour this morning.

Thank you .

EVY ESCOBAR-GADDI

Legal Assistant
Donald L. Prunty • Kara B. Hendricks • Jennifer M.K. Willis
Jerrell L. Berrios • Kirche M. Ray • Alix Goldstein

GREENBERG TRAUIG, LLP

Suite 600
10845 Griffith Peak Drive | Las Vegas, Nevada 89135
T +1 702.938.6889 | C 702 985 3236
escobargaddie@gtlaw.com | www.gtlaw.com

<image001.png>

From: Candace Carlyon <ccarlyon@carlyoncica.com>
Sent: Thursday, May 21, 2026 4:59 PM
To: Escobar-Gaddi, Evy (LSS-LV-LT) <escobargaddie@gtlaw.com>
Cc: Escobar-Gaddi, Evy (LSS-LV-LT) <escobargaddie@gtlaw.com>; Nancy Arceneaux

<narceneaux@carlyoncica.com>; Levin, Akke (OfCnl-LV-LT) <Akke.Levin@gtlaw.com>

Subject: Re: FHP NV

Give me an hour in the morning to review, please

Candace Carlyon, Esq.

ccarlyon@carlyoncica.com

265 E. Warm Springs Road, Suite 107

Las Vegas, NV 89119

702.685.4444(office)

702.254.1076 (direct)

On May 21, 2026, at 4:48 PM, escobargaddie@gtlaw.com wrote:

Good afternoon Ms. Carlyon:

Attached are the **Orders** in their final versions. We would like to submit this today. Please send your written approval to affix your electronic signatures.

EVY ESCOBAR-GADDI

Legal Assistant

Donald L. Prunty • Kara B. Hendricks • Jennifer M.K. Willis

Jerrell L. Berrios • Kirche M. Ray • Alix Goldstein

GREENBERG TRAUIG, LLP

Suite 600

10845 Griffith Peak Drive | Las Vegas, Nevada 89135

T +1 702.938.6889 | C 702 985 3236

escobargaddie@gtlaw.com | www.gtlaw.com

<image002.png>

From: Hendricks, Kara (Shld-LV-LT) <hendricksk@gtlaw.com>

Sent: Thursday, May 21, 2026 12:43 PM

To: Candace Carlyon <ccarlyon@carlyoncica.com>

Cc: Nancy Arceneaux <narceneaux@carlyoncica.com>; Levin, Akke (OfCnl-LV-LT) <Akke.Levin@gtlaw.com>; Escobar-Gaddi, Evy (LSS-LV-LT) <escobargaddie@gtlaw.com>

Subject: RE: FHP NV

Candace,

We accepted your revisions and cleaned up several typos. We plan to submit the attached to the court this afternoon.

Kara

Kara Hendricks

T +1 702.938.6856

hendricksk@gtlaw.com

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 Scott Kipper, Plaintiff(s)

CASE NO: A-23-871639-C

7 vs.

DEPT. NO. Department 18

8 Friday Health Plans of Nevada,
9 Defendant(s)

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

12 This automated certificate of service was generated by the Eighth Judicial District
13 Court. The foregoing Order Granting Motion was served via the court's electronic eFile
system to all recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 5/27/2026

15 Kimberly Kirn

kkirn@mcdonaldcarano.com

16 Andrea Rosehill

rosehilla@gtlaw.com

17 Mark Ferrario

ferrariom@gtlaw.com

18 Kara Hendricks

hendricksk@gtlaw.com

19 LVGT docketing

lvlitdock@gtlaw.com

20 Jerrell Berrios

berriosj@gtlaw.com

21 Emily Dennis

edennis@mcdonaldcarano.com

22 Ryan Works

rworks@mcdonaldcarano.com

23 Candace Carlyon

ccarlyon@carlyoncica.com

24 Dawn Cica

dcica@carlyoncica.com

25 Cristina Robertson

crobertson@carlyoncica.com

26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Evelyn Gaddi

escobargaddie@gtlaw.com

Nancy Arceneaux

narceneaux@carlyoncica.com

Patrick Falkensammer

pfalkensammer@carlyoncica.com