



1 **ERR**
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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.

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

27 **[NO HEARING REQUESTED]**

28 **ERRATA TO TWELFTH STATUS
REPORT**

29 Petitioner, COMMISSIONER OF INSURANCE, STATE OF NEVADA¹, as Receiver
30 (“Commissioner” or “Receiver”) for FRIDAY HEALTH PLANS OF NEVADA, INC. (“Friday
31 Health” or the “Company”), submits this Errata (“Errata”) to its Twelfth Quarterly Status Report dated
32 April 23, 2026 (“Report”).² In describing the ABC Proceeding before the Delaware Court of
33 Chancery, the Report inadvertently misidentified the current procedural posture of motions relating to

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

38 ² All capitalized but undefined terms used herein have the same meaning assigned to them in the Report.

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1 the Assignee Bond and the motion to remove the Assignee and disgorge the fees paid to the Assignee
2 and its attorneys (“Motion to Remove”). The Report stated:

3
4 The ABC matter is again before the Delaware Chancery Court after
5 mediation failed to resolve the disputes. The Delaware Chancery Court
6 granted the motion to correct the Assignee Bond and the motion to
remove the Assignee and disgorge the fees paid to the Assignee and the
attorney.

7 Report, p. 5:1-4. Through this Errata, the Receiver clarifies that the Delaware Chancery Court has not
8 granted the Motion to Remove. The present status of the Motion to Remove is that it is fully briefed,
9 but the Delaware Chancery Court has not yet ruled on it or set it for a hearing. Further, the Report’s
10 statement regarding a “motion to correct the bond” should have been a reference to the Joining States’
11 objection to the Assignee’s motion to set the bond. In response to that objection, the Court of Chancery
12 fixed the bond at \$15,384,579.57, “reflecting all assets under the dominion and control of the Assignee
13 as of the date of the assignment.” A later motion by the Joining States, also joined by the Receiver,
14 sought an order correcting the language of the bond to conform to the requirements of the Delaware
15 statute, 10 Del. C. § 7383. That motion was granted by the Court of Chancery’s letter decision of June
16 3, 2025. In footnote 17 to the Court of Chancery’s letter decision, the Court stated:

17
18 In conjunction with the Motion, the Receiverships informed the court
19 that all of the funds in the Assignment estate were removed by the
20 Assignors’ first position secured creditor in April 2025. According to the
21 Receiverships, the Assignee entered into a deposit account control
22 agreement after the Assignment that gave the Assignors’ first position
23 secured creditor control over an account holding all of the estate’s cash
24 assets, which the Assignee has confirmed. See Dkt. 130 ¶ 5; Dkt. 135 ¶
25 23. The creditor has exercised its rights and withdrawn the funds from
this account. See Dkt. 135 ¶¶ 39–40, 42. The court became aware of this
development only after the Receiverships brought it to the court’s
attention on May 8, 2025. See Dkt. 132. The court held a teleconference
the next day. See Dkt. 134. Despite being aware of the creditor’s exercise
notice on April 11, 2025, the Assignee did not inform the court at that
time. This issue, however, is for another day and is not the subject of this
letter opinion.

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27 ///
28 ///

1 The currently pending Motion to Remove was filed shortly thereafter.

2 DATED this 29th day of April 2026.

3 Respectfully submitted:

4 NED GAINES, Commissioner of Insurance
5 of the State of Nevada, in his Official
6 Capacity as Statutory Receiver of Delinquent
7 Domestic Insurer

8 By: /s/ Darren Ellingson
9 Special Deputy Receiver, By Its
10 Authorized Representative Darren
11 Ellingson

12 Respectfully submitted by:

13 **GREENBERG TRAURIG, LLP**

14 /s/ Kara B. Hendricks

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CERTIFICATE OF SERVICE

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Pursuant to Nev. R. Civ. P. 5(b)(2)(D) and E.D.C.R. 8.05, I certify that on this 29th day of April 2026, I caused a true and correct copy of the foregoing **ERRATA TO TWELFTH STATUS REPORT** to be filed with the Clerk of Court using the Odyssey e-FileNV Electronic Service system and served on all parties with an email address on record, pursuant to Administrative Order 14-2 and Rule 9 of the N.E.F.C.R.

On **April 29, 2026**, I served the within document(s):

via **FIRST CLASS MAIL**, by mailing a copy of the document(s) listed above to the person(s) at the e-mail address(es) set forth below.

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/s/ Andrea Lee Rosehill
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