

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

<p>JESSE VROEGH,</p> <p>Plaintiff,</p> <p>v.</p> <p>IOWA DEPARTMENT OF CORRECTIONS, IOWA DEPARTMENT OF ADMINISTRATIVE SERVICES, WELLMARK, INC., d/b/a WELLMARK BLUE CROSS AND BLUE SHIELD OF IOWA, and PATTI WACHTENDORF, Individually and in her Official Capacities,</p> <p>Defendants.</p>	<p>Case No. LACL138797</p> <p>WELLMARK, INC., d/b/a WELLMARK BLUE CROSS AND BLUE SHIELD OF IOWA'S MOTION TO DISMISS</p> <p>ORAL ARGUMENT REQUESTED</p>
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Defendant Wellmark, Inc., d/b/a Wellmark Blue Cross and Blue Shield of Iowa (“Wellmark”), by and through its undersigned counsel and pursuant to Iowa Rule of Civil Procedure 1.421(1) hereby moves to dismiss Plaintiff Jesse Vroegh’s (“Vroegh” or “Plaintiff”) Petition as to Count V. The reasons supporting this Motion are set forth in Wellmark’s accompanying Memorandum of Law, filed concurrently herewith.

WHEREFORE, for the reasons set forth in Wellmark’s accompanying Memorandum of law, Wellmark respectfully requests that the Court schedule this Motion for oral argument and enter an Order (1) dismissing Count V of Plaintiff’s Petition in its entirety with prejudice and (2) granting such other relief as the Court deems just and proper.

/s/Angel A. West

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BLUE CROSS AND BLUE SHIELD OF IOWA

CERTIFICATE OF SERVICE

I certify that on October 27, 2017, I electronically filed the foregoing with the Clerk of Court using the ECF system, which will send notification of such filing to the parties participating in the Court's electronic filing system.

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/s/Angel A. West_____