

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

CASE NO. CV-03-21296-MORENO/SIMONTON

_____)
RICK LOVE, M.D., <i>et al.</i> ,)
)
Plaintiffs,)
)
v.)
)
BLUE CROSS AND BLUE SHIELD)
ASSOCIATION, <i>et al.</i> ,)
)
Defendants.)
_____)

JOINT MOTION FOR PRELIMINARY APPROVAL OF SETTLEMENT

Representative Plaintiffs, along with Capital BlueCross, Capital Advantage Insurance Company and Keystone Health Plan Central, Inc. (collectively, "Blue Plan"), respectfully move this Court to enter the proposed Order Preliminarily Approving Proposed Settlement, Approving Class Notice, and Scheduling Settlement Hearing (the "Preliminary Approval Order"), which is attached as Exhibit 1.

In support of this motion, Representative Plaintiffs and Blue Plan state as follows:

1. Representative Plaintiffs and Blue Plan have entered into a Settlement Agreement, which is attached as Exhibit 2.
2. Representative Plaintiffs and Blue Plan respectfully request that this Court grant preliminary approval to the Settlement Agreement as fair, adequate, and reasonable.
3. Representative Plaintiffs and Blue Plan respectfully request that this Court approve the notice plan in the Settlement Agreement at Section 5, and the notices, claim form and claim form instructions, which are attached as Exhibit 3 (A-D).

4. Representative Plaintiffs and Blue Plan respectfully request that the Court schedule a hearing as soon as practicable to consider the Settlement Agreement for preliminary approval and to enter the proposed Preliminary Approval Order.

Respectfully submitted this 1st day of February, 2008.

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that a true and correct copy of the foregoing was served on the following Liaison Counsel this 1st day of February, 2008, by Federal Express. In addition, all counsel on the Court's January 12, 2005 Joint E-mail Service List were served by electronic mail.

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