

CAUSE NO. D-1-GN-23-008361

THE TEXAS DEPARTMENT OF	§	IN THE DISTRICT COURT OF
INSURANCE,	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	TRAVIS COUNTY, TEXAS
	§	
BRIGHT HEALTHCARE INSURANCE	§	
COMPANY OF TEXAS	§	
<i>Defendant.</i>	§	455th JUDICIAL DISTRICT

**THIRD SUPPLEMENT TO SPECIAL DEPUTY RECEIVER'S  
APPLICATION FOR APPROVAL OF FEES AND EXPENSES**

COMES NOW, CANTILO & BENNETT, L.L.P., the Special Deputy Receiver of Bright Healthcare Insurance Company of Texas (the “SDR” and “Bright,” respectively), and files its *Third Supplement to the Application for Approval of Fees and Expenses* (the “Third Supplement”).

**I. BACKGROUND**

1.1. On November 29, 2023, the Court entered an *Agreed Order Appointing Liquidator, Permanent Injunction, and Notice of Automatic Stay* appointing the Texas Commissioner of Insurance as Liquidator of Bright. Effective November 29, 2023, the Texas Commissioner of Insurance, as Liquidator, appointed CANTILO & BENNETT, L.L.P. as Special Deputy Receiver of Bright.

**II. JURISDICTION**

2.1. This Court has jurisdiction over the subject matter of this Third Supplement and of the parties herein pursuant to TEX. INS. CODE § 443.005. The SDR requests the Court approve the SDR’s Third Supplement for the individuals and entities identified on the attached **Exhibit A** (new subcontractor described herein is highlighted for the Court’s attention in the attached exhibit).

### III. STATUTORY AUTHORITY

3.1 The SDR is authorized to file this Third Supplement pursuant to TEX. INS. CODE § 443.015, which provides for the approval of the SDR's expenses and compensation by the Court. The subject matter of this Third Supplement has been referred to the Special Master appointed in this proceeding in accordance with the Order of Reference to Master entered on November 29, 2023. The Receiver approved these rates in accordance with TEX. INS. CODE § 443.154(a).

### IV. BASIS FOR APPLICATION

4.1 TEX. INS. CODE § 443.015(c)(1) requires the Receiver to submit an application for the approval of the terms of compensation of a contractor when the Receiver reasonably expects the total amount of compensation to be paid over the course of the proceeding will exceed Two Hundred Fifty Thousand Dollars (\$250,000) or another amount established by the Court. In addition, TEX. INS. CODE § 443.015(d) permits the Receiver, at its discretion, to submit an application to approve any compensation, anticipated expenses, or incurred expenses not described by subsection (c)(1).

4.2 This Court previously approved the SDR's original *Application for Approval of Fees and Expenses* on January 12, 2024, approved the SDR's *First Supplement to the Application for Approval of Fees and Expenses* on March 25, 2024, and approved the SDR's *Second Supplement to the Application for Approval of Fees and Expenses* on September 18, 2025. The SDR now files this Third Supplement to request approval of proposed fees and expenses for one subcontractor Brandon Murray. Mr. Murray was previously affiliated with approved subcontractor, EMKAY Associates, Inc. ("EMKAY"), providing both claims and IT services to the estate. In mid-October, Mr. Murray separated from EMKAY and went into business on his own. The SDR believes it is in the best interests of the estate for Mr. Murray to continue to provide these services. Mr. Murray's rate as an independent subcontractor will be the same rate as that

approved for him with EMKAY. The rates for all other previously approved subcontractors remain unchanged. The rates for compensation for all contractors are shown on **Exhibit A**, which is attached hereto and incorporated by reference. Mr. Murray's rate has been highlighted for ease of reference. The SDR requests the Court to approve such rates pursuant to TEX. INS. CODE §443.015(c)(1) and (d). These rates have been approved by the Receiver in accordance with TEX. INS. CODE § 443.154(a).

4.3 The SDR requests that the Court approve the SDR's Third Supplement for the individuals and entities identified on the attached **Exhibit A**.

4.4 TEX. INS. CODE § 443.015(g) provides that on a quarterly basis, or as otherwise provided by this Court, the Receiver shall submit to the Court a summary of expenses incurred during the period. The SDR requests the Court to confirm quarterly reporting periods that coincide with the State of Texas fiscal year. The SDR further requests that such reports be filed by the 15th day of the month following the end of the quarterly reporting period.

## V. NOTICE

5.1 The SDR served this Third Supplement to all known parties in interest, including all affected guaranty associations, and all individuals and entities identified by the SDR in the Certificate of Service by e-mail and, as noted, by mail or overnight delivery to certain government agencies.

## VI. OFFER OF PROOF AND VERIFICATION

6.1 This Third Supplement is verified by the affidavit and certification pursuant to TEX. INS. CODE § 443.017(b) by Michael P. Marcin, Partner in CANTILO & BENNETT, L.L.P., SDR of Bright.

## VII. NOTICE OF ELECTRONIC SERVICE REQUIREMENT

7.1 All pleadings filed in response to this Third Supplement or regarding this estate shall be served by e-mail on the undersigned counsel and all parties shown in the attached Certificate of Service.

### PRAYER

WHEREFORE, PREMISES CONSIDERED, CANTILO & BENNETT, L.L.P., solely in its capacity as Special Deputy Receiver of Bright, prays that this Court rule as follows:

1. Grant the Third Supplement;
2. Approve the terms of compensation of for Brandon Murray listed on **Exhibit A**;
3. Approve the anticipated expenses described in the Third Supplement;
4. Order the SDR to file with the Court a summary of expenses incurred pursuant to TEX. INS. CODE § 443.015(g) on a quarterly basis; and
5. Grant the SDR such other and further relief to which it may justly entitled.

Respectfully submitted,

/s/ Greg Pierce  
Gregory A. Pierce  
State Bar No. 15994250  
P.O. Box 40  
Austin, Texas 78767  
Tel: (512) 474-2154  
[gpierce@gpiercelaw.com](mailto:gpierce@gpiercelaw.com)

**Attorney for CANTILO & BENNETT, L.L.P.,  
Special Deputy Receiver of  
Bright Healthcare Insurance Company of Texas**

## APPLICANT'S NOTICE OF SUBMISSION

Under the terms of the Agreed Order of Reference to Master entered by the District Court in this cause, the *Third Supplement to the Application for Approval of Fees and Expenses* is hereby set for written submission before the Special Master, Tom Collins, on **May 11, 2026**.

The Special Master has asked that the following rules be provided you:

1. Any objection must be filed with the Travis County District Clerk at least three (3) calendar days before the submission date.
2. A copy of any objection shall be served by e-mail by such date on:
  - (a) The Special Master's Docket Clerk, at [specialmasterclerk@tdi.texas.gov](mailto:specialmasterclerk@tdi.texas.gov);
  - (b) The undersigned counsel, Greg Pierce at [gpierce@gpiercelaw.com](mailto:gpierce@gpiercelaw.com); and
  - (c) All interested parties, including those listed on the SDR's Certificate of Service.
3. The objecting party shall coordinate with the SDR's counsel and the Docket Clerk [(512) 676-6915] to obtain an oral hearing setting for argument on the Application and Objection, and complete and attach an "Objecting Party's Notice of Oral Hearing" to the objection.
4. The written objection must specifically list all reasons for objection with supporting references to and discussion of statutory and case authorities. Reasons not stated in writing will not be considered orally.
5. **Please note that if an objection is not filed as described in the Notice of Submission, the Master may consider the Application without a hearing.**
6. **Failure to file timely a written objection before the Special Master constitutes a waiver of the right to object to the Special Master's recommendation to the District Court.**
7. Any Acknowledgment of Notice and Waiver to be filed by the Texas Life and Health Insurance Guaranty Association or other interested party should be filed at least three (3) calendar days before the submission or hearing date.

/s/ Greg Pierce  
Gregory A. Pierce

## CERTIFICATE OF SERVICE

I certify that on April 24, 2026, a true and correct copy of the foregoing *Third Supplement to Special Deputy Receiver's Application for Approval of Fees and Expenses* was served pursuant to the Order of Reference to Master, the Texas Rules of Civil Procedure and TEX. INS. CODE 443.007(d) on the following by email, except as specifically otherwise noted.

*Via Email:* [specialmasterclerk@tdi.texas.gov](mailto:specialmasterclerk@tdi.texas.gov)  
Tom Collins, Receivership Master  
c/o Special Master's Clerk  
RLO MC-FRD  
PO Box 12030  
Austin, TX 78711-2030

*Via Email:* [Edwin.Hartsfield@tdi.texas.gov](mailto:Edwin.Hartsfield@tdi.texas.gov)  
Edwin Hartsfield  
TEXAS DEPARTMENT OF INSURANCE  
RLO MC-FRD  
PO Box 12030  
Austin, TX 78711-2030

*Via Email:* [John.Walker@tdi.texas.gov](mailto:John.Walker@tdi.texas.gov)  
John Walker  
TEXAS DEPARTMENT OF INSURANCE  
RLO MC-FRD  
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Austin, TX 78711-2030

*Via Email:* [Vane.Hugo@tdi.texas.gov](mailto:Vane.Hugo@tdi.texas.gov)  
Vane Hugo  
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Austin, TX 78711-2030

*Via Email:* [Sandra.Salazar@tdi.texas.gov](mailto:Sandra.Salazar@tdi.texas.gov)  
Sandra Salazar  
General Counsel Division  
Office of Financial Counsel  
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PO Box 12030  
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*Via e-Service:* [Shawn.Martin@tdi.texas.gov](mailto:Shawn.Martin@tdi.texas.gov)  
Shawn Martin  
General Counsel Division  
Office of Financial Counsel  
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PO Box 12030  
Austin, TX 78711-2030

*Via Email:* [David.Ashton@tdi.texas.gov](mailto:David.Ashton@tdi.texas.gov)  
David Ashton  
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*Via e-Service:* [Kimberly.Gdula@oag.texas.gov](mailto:Kimberly.Gdula@oag.texas.gov)  
Kimberly Gdula  
Assistant Attorney General  
General Litigation Division  
OFFICE OF THE TEXAS ATTORNEY GENERAL  
P.O. Box 12548, Mail Stop 01901  
Austin, TX 78711-2548  
*Counsel for Texas Department of Insurance*

*Via First Class Mail*  
INTERNAL REVENUE SERVICE  
Special Procedures Branch  
300 East 8<sup>th</sup> Street, Suite 352  
Mail Stop 5026AUS  
Austin, Texas 78701

*Via e-Service:* [sstrickland@mwlaw.com](mailto:sstrickland@mwlaw.com)  
Stanton Strickland  
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*Counsel for Bright Health Management, Inc*

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*Counsel for the Texas Life and Health  
Insurance Guaranty Association*

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*Via Email:* [Bgould@fmdlegal.com](mailto:Bgould@fmdlegal.com)  
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Hospital Houston Northwest*

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4888 Loop Central Dr., #600  
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*Via Email:* [Kelly.Drury@cms.hhs.gov](mailto:Kelly.Drury@cms.hhs.gov)  
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*Via Email:* [Nia.Blasingame1@cms.hhs.gov](mailto:Nia.Blasingame1@cms.hhs.gov)  
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Nia Blasingame  
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Center for Consumer Information and Insurance  
Oversight  
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*Via e-Service:* [csoltero@maynardnexsen.com](mailto:csoltero@maynardnexsen.com)  
*Via e-Service:* [lalcantar@maynardnexsen.com](mailto:lalcantar@maynardnexsen.com)  
Carlos R. Soltero  
Lisa Poole Alcantar  
Maynard Nexsen  
2500 Bee Caves Road  
Building 1, Ste 150  
Austin, Texas 78746  
*Counsel for Bright Health Management, Inc.*

*/s/ Greg Pierce*  
\_\_\_\_\_  
Gregory A. Pierce

**SPECIAL DEPUTY RECEIVER'S VERIFICATION AND CERTIFICATION  
PURSUANT TO TEX. INS.CODE §443.017(b)**


**AFFIDAVIT OF MICHAEL P. MARCIN**

State of Texas

County of Travis

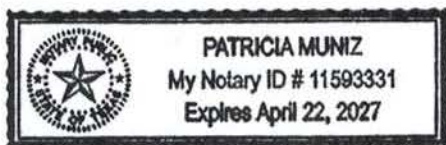
BEFORE ME, the undersigned authority appeared Michael P. Marcin, who after being by me duly sworn, stated the following under oath:

1. "My name is Michael P. Marcin. I am of sound mind, capable of making this affidavit, and am competent to testify to the matters contained in this affidavit.
2. I am a partner in CANTILO & BENNETT, L.L.P., the Special Deputy Receiver of Bright Health Insurance Company of Texas, Inc. (the "SDR" and "BHICOT" respectively), I am duly authorized to make this Affidavit on behalf of the SDR.
3. I have reviewed the *Third Supplement to the Application for Approval of Fees and Expenses* and the facts stated therein are true and correct based on my personal knowledge, my review of estate records and my consultation with the staff and subcontractors.
4. I certify that the exhibits, books, company accords, papers, correspondence, and/or other records and documents attached hereto were produced pursuant to TEX. INS. CODE § 443.017, are either true and correct copies of records of BHICOT and were received from the custody of BHICOT or found among its effects, or were created by and filed with the Receiver's office in connection with the receivership of this delinquent company, and are held by the Special Deputy Receiver in its official capacity."

By: 

Michael P. Marcin

**SUBSCRIBED AND SWORN TO BEFORE ME** on April 24, 2026, by Michael P. Marcin, Special Deputy Receiver of Bright Health Insurance Company of Texas, Inc.



  
Notary Public

# **EXHIBIT A**

**BRIGHT HEALTHCARE INSURANCE COMPANY OF TEXAS**  
**SPECIAL DEPUTY RECEIVER FEE SCHEDULE**

**CANTILO & BENNETT, L.L.P.**  
*Special Deputy Receiver*

Primary Responsible Person/SDR Administration	\$260.00
SDR Administration/Partner	\$260.00
SDR Administration/Associate	\$200.00
Receivership Specialist	\$155.00
Law Clerk	\$130.00
Information Technology	\$100.00
Administrative/Clerical	\$ 35.00

**Greg Pierce**  
*Legal/Litigation Subcontractor*

Attorney/SDR Counsel	\$275.00
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**Fuller Law Group**  
*Legal/Litigation Services Subcontractor*

Attorney/SDR Counsel	\$275.00
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**Inquest Resources**  
*Legal Support Services Subcontractor*  
*Information Technology/Data Processing Subcontractor*

Partner & Paralegal I	\$ 85.00
Partner & Paralegal/Receivership Specialist I	\$ 85.00
Paralegal II	\$ 70.00
Receivership Specialist II	\$ 55.00
Administrative Assistant	\$ 35.00
Clerical	\$ 30.00

**Petrosewicz & Co., Inc.**  
*Accounting Services Subcontractor*

CPA/Attorney	\$225.00
CPA	\$200.00
Senior Accountant	\$125.00
Clerical	\$ 35.00

**Exhibit**  
**A**

**EMKAY Associates, Inc.**

*Claims and IT Services Subcontractor*

Claims Manager and Consultant	\$105.00
Claims Management and IT Consulting	\$105.00
Claims Management and Consulting, Site Management	\$105.00
Claims Management and IT Consulting	\$ 85.00

**Brandon Murray**

*Claims and IT Service Subcontractor*

**\$105.00**

**Milford Consulting, L.L.C.**

*Claims Subcontractor*

Receivership Specialist I, Claims Consultant	\$195.00
Receivership Specialist II, Data Analysis/Reports, Claims Support	\$150.00
Receivership Specialist III, Claims Support	\$130.00
Clerical	\$ 45.00

**Jennan Enterprises, LLC**

*IT and Data Services Subcontractor*

Managing Member	\$150.00
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**Culmination Consulting Group, LLC**

*Accounting Services and Reinsurance Subcontractor*

CFO/Reinsurance Consultant	\$250.00
Corporate Controller/Accountant	\$195.00
Information Systems Director/Database Administrator	\$195.00
Staff Accountant	\$125.00

**Davies**

*Actuarial Consulting Subcontractor*

Principal/Actuary	\$315.00
Consulting Actuary	\$295.00
Actuarial Analyst	\$250.00
Clerical	\$ 35.00

**Lewis Brisbois**

*Legal/Litigation Services Subcontractor*

Partner	\$610.00
Associate	\$375.00
Paralegal	\$285.00

**Scott Douglas & McConnico, LLP**

*Legal/Appellate Services Subcontractor*

Lead Appellate Attorney/SDR Counsel	\$700.00
Partner	\$500.00
Associate	\$375.00
Paralegal	\$240.00
Litigation Assistant	\$120.00

### Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Greg Pierce on behalf of Greg Pierce

Bar No. 15994250

gpierce@gpiercelaw.com

Envelope ID: 114096253

Filing Code Description: No Fee Documents

Filing Description: THIRD SUPPLEMENT TO SPECIAL DEPUTY RECEIVER'S APPLICATION FOR APPROVAL OF FEES AND EXPENSES

Status as of 4/27/2026 3:40 PM CST

Associated Case Party: BRIGHT HEALTH MANAGEMENT, INC.

Name	BarNumber	Email	TimestampSubmitted	Status
Rachael Padgett	24065861	rpadgett@maynardnexsen.com	4/24/2026 4:56:17 PM	SENT
Lisa Alcantar	24069284	lalcantar@maynardnexsen.com	4/24/2026 4:56:17 PM	SENT
Carlos Soltero	791702	csoltero@maynardnexsen.com	4/24/2026 4:56:17 PM	SENT

Associated Case Party: BRIGHT HEALTHCARE INSURANCE COMPANY OF TEXAS

Name	BarNumber	Email	TimestampSubmitted	Status
Carlos Soltero	791702	csoltero@maynardnexsen.com	4/24/2026 4:56:17 PM	SENT
Kayla RosePfeiffer		KPfeiffer@maynardnexsen.com	4/24/2026 4:56:17 PM	SENT
Max Mendel		mmendel@maynardnexsen.com	4/24/2026 4:56:17 PM	SENT
Lauren Feldott		lfeldott@maynardnexsen.com	4/24/2026 4:56:17 PM	SENT

Associated Case Party: TEXAS DEPARTMENT OF INSURANCE

Name	BarNumber	Email	TimestampSubmitted	Status
Kimberly Gdula	24052209	kimberly.gdula@oag.texas.gov	4/24/2026 4:56:17 PM	SENT
Special Master Clerk		specialmasterclerk@tdi.texas.gov	4/24/2026 4:56:17 PM	SENT
Shawn Martin		Shawn.Martin@tdi.texas.gov	4/24/2026 4:56:17 PM	SENT
Sandra Salazar		Sandra.Salazar@tdi.texas.gov	4/24/2026 4:56:17 PM	SENT

Associated Case Party: TEXAS LIFE & HEALTH INSURANCE GUARANTY ASSOCIATION

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### Automated Certificate of eService

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Greg Pierce on behalf of Greg Pierce

Bar No. 15994250

gpierce@gpiercelaw.com

Envelope ID: 114096253

Filing Code Description: No Fee Documents

Filing Description: THIRD SUPPLEMENT TO SPECIAL DEPUTY RECEIVER'S APPLICATION FOR APPROVAL OF FEES AND EXPENSES

Status as of 4/27/2026 3:40 PM CST

Associated Case Party: TEXAS LIFE & HEALTH INSURANCE GUARANTY ASSOCIATION

Name	BarNumber	Email	TimestampSubmitted	Status
Daniel Price	24041725	dprice@sp-legal.com	4/24/2026 4:56:17 PM	SENT

#### Case Contacts

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Blake Gould		Bgould@fmdlegal.com	4/24/2026 4:56:17 PM	SENT
Carrie Frasier		cfrasier@sp-legal.com	4/24/2026 4:56:17 PM	SENT
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Nia Blasingame		Nia.Blasingame1@cms.hhs.gov	4/24/2026 4:56:17 PM	SENT