

EXHIBIT A

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF QUEENS

Index No.

NORMAN MAURICE ROWE, M.D., M.H.A.,L.L.C. &
EAST COAST PLASTIC SURGERY, PC

SUMMONS

Plaintiffs,

Plaintiff's Residence:
NORMAN MAURICE ROWE, M.D.,
M.H.A.,L.L.C. & EAST COAST
PLASTIC SURGERY, PC

- Against -

OXFORD HEALTH INSURANCE, INC.; OXFORD
HEALTH PLANS (NJ), INC.; OXFORD HEALTH
PLANS (NY), INC., and OXFORD HEALTH PLANS
LLC,

Plaintiff designates QUEENS as
the place of trial. The basis of this
designation is: Defendant transacts
business in QUEENS

Defendants.

Breach of Contract

To the above named defendant:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's attorney within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you in the amount of \$293,126.15

Dated: September 13, 2021

Defendant's Address:
OXFORD HEALTH INSURANCE, INC.
One Penn Plaza, Floor 8
New York, NY 10119
OXFORD HEALTH PLANS (NJ), INC.
c/o CT CORPORATION SYSTEM
28 Liberty Street
New York, NY 10005
OXFORD HEALTH PLANS (NY), INC.
c/o CT CORPORATION SYSTEM
28 Liberty Street
New York, NY 10005
OXFORD HEALTH PLANS LLC
c/o CT CORPORATION SYSTEM
28 Liberty Street
New York, NY 10005

DocuSigned by:
Michael Baglio
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LEWIN & BAGLIO, LLP
By: Michael Baglio, Esq.
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L&B File No.: 2125.COM.55

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF QUEENS

NORMAN MAURICE ROWE, M.D., M.H.A.,L.L.C. &
EAST COAST PLASTIC SURGERY, PC
Plaintiffs,

Index No.

COMPLAINT

- Against -

OXFORD HEALTH INSURANCE, INC.; OXFORD
HEALTH PLANS (NJ), INC.; OXFORD HEALTH
PLANS (NY), INC., and OXFORD HEALTH PLANS
LLC,

Defendants.

Plaintiff, NORMAN MAURICE ROWE, M.D., M.H.A.,L.L.C. & EAST COAST
PLASTIC SURGERY, PC, alleges:

JURISDICTION AND VENUE

1) This Court has personal jurisdiction over the parties because Defendant, OXFORD HEALTH INSURANCE, INC. is an insurance company licensed and authorized to do business in the State of New York; OXFORD HEALTH INSURANCE, INC. violated New York Law while doing business in New York State.

2) OXFORD HEALTH INSURANCE, INC. transacts business in QUEENS County.

PARTIES

3) Defendant, OXFORD HEALTH INSURANCE, INC.(hereinafter “OXFORD” or “the Insurer”) is an insurance company licensed and authorized to do business in the State of New York.

4) NORMAN MAURICE ROWE, M.D., M.H.A.,L.L.C. & EAST COAST PLASTIC SURGERY, PC (“ROWE” or “the Provider”) is a Professional Services Company that provides health services in the State of New York.

FACTUAL ALLEGATIONS

5) Dr. Norman Rowe and Dr. Charles Pierce are affiliated with ROWE; OXFORD considers Dr. Norman Rowe and Dr. Charles Pierce to be out-of-network providers. That means Dr. Charles Pierce and OXFORD did not pre-negotiate charges for services billed to OXFORD.

6) OXFORD offered to pay for medical services rendered to a person with initials “M.F.” (herein after “M.F.”).

7) By letter dated October 5, 2020, OXFORD offered to pay for medical services provided by ROWE to M.F. at amount equal to the “in-network” benefit level.

8) Based on information and belief, the source being a networking agreement that OXFORD participated in on October 5, 2020, the “in-network” benefit level is equal to 80% of the amount billed by the provider.

9) ROWE accepted OXFORD’s offer by doing what it was required to do when it provided M.F. with medical services on November 18, 2020.

10) ROWE billed OXFORD for the services rendered to M.F.

11) OXFORD did not do what it was required to do.

12) OXFORD did not reject ROWE's performance within 45 days.

13) OXFORD never provided ROWE with any notice of any good faith dispute regarding the following: eligibility of M.F. for payment by OXFORD, the liability of another insurer or corporation or organization for all or part of the bill, the amount of the bill, or the manner in which the services were accessed or provided within 45 days.

14) OXFORD ultimately, issued payment that was late and unreasonable for the services ROWE provided.

15) OXFORD knew that its actions would increase M.F.'s liability to ROWE in an amount equal to the billed amount, \$300,000.00 less OXFORD's late and unreasonable payment of \$6,873.85.

16) OXFORD knows or should know that its payment, \$6,873.85, is less than what it offered to pay ROWE for providing Reduction Mammoplasty to M.F.

17) OXFORD offered to pay 80% of the amount billed by ROWE for Reduction Mammoplasty rendered by Dr. Norman Rowe and Dr. Charles Pierce to M.F.

EXPLANATION OF BILLING

18) ROWE billed OXFORD \$300,000.00 for the services Norman Rowe provided to M.F. on November 18, 2020.

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