

No.

In the Supreme Court of the United States

NORTH CYPRESS MEDICAL CENTER OPERATING COM-
PANY, LTD., ET AL., PETITIONERS

v.

CIGNA HEALTHCARE, ET AL.

*ON PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT*

PETITION FOR A WRIT OF CERTIORARI

J. DOUGLAS SUTTER
SUTTER & KENDRICK, P.C.
3050 Post Oak Blvd., Ste. 200
Houston, TX 77056

DANIEL L. GEYSER
Counsel of Record
ALEXANDER DUBOSE &
JEFFERSON LLP
Walnut Glen Tower
8144 Walnut Hill Lane, Ste. 1000
Dallas, TX 75231
(214) 396-0441
dgeyser@adjtlaw.com

QUESTION PRESENTED

This case raises an important and recurring question under the Employee Retirement Income Security Act of 1974 (ERISA), Pub. L. No. 93-406, 88 Stat. 829 (29 U.S.C. 1001 *et seq.*). In reviewing whether an ERISA administrator abused its discretion in denying a benefits claim, this Court has instructed lower courts to apply a “combination-of-factors” analysis. Under that analysis, reviewing courts “must” consider all relevant “case-specific” factors and weigh them together.

In the decision below, the Fifth Circuit abandoned that totality analysis and replaced it with a *per se* rule: According to the Fifth Circuit, an administrator automatically wins so long as “two other courts,” right or wrong, endorsed the administrator’s plan interpretation in the past—rendering it “immaterial” whether the administrator’s reading was legally correct, infected by conflicts of interest, motivated by bad faith, or applied unevenly to other participants. This mechanical new rule conflicts with the prevailing standard applied by this Court and other circuits—where all factors “must” be considered before deciding if a benefits denial can stand.

The question presented is:

Whether, in reviewing an ERISA administrator’s benefits denial, it is automatically dispositive that “two other courts” upheld the administrator’s interpretation (as the Fifth Circuit held below, rendering “immaterial” the traditional “abuse-of-discretion inquiry”), or whether a reviewing court must consider all the traditional factors required in this Court’s “combination-of-factors” analysis (as required by multiple courts of appeals and this Court).

(I)

II

PARTIES TO THE PROCEEDING BELOW AND RULE 29.6 STATEMENT

Petitioners are North Cypress Medical Center Operating Company, Ltd.; and North Cypress Medical Center Operating Company GP, LLC.

Respondents are Cigna Healthcare; Connecticut General Life Insurance Company; and Cigna Healthcare of Texas, Inc.

North Cypress Medical Center Operating Company, Ltd., and North Cypress Medical Center Operating Company GP, LLC, have no parent corporations, and no publicly held company owns 10% or more of their stock.

III

RELATED PROCEEDINGS

United States District Court (S.D. Tex.):

North Cypress Med. Ctr. Operating Co., Ltd., et al. v. Cigna Healthcare, et al., Civ. No. 09-2556 (Dec. 12, 2012) (initial final judgment)

North Cypress Med. Ctr. Operating Co., Ltd., et al. v. Cigna Healthcare, et al., Civ. No. 09-2556 (Sept. 3, 2013) (amended final judgment)

North Cypress Med. Ctr. Operating Co., Ltd., et al. v. Cigna Healthcare, et al., Civ. No. 09-2556 (Aug. 16, 2018) (final judgment on remand from the Fifth Circuit in No. 12-20695)

United States Court of Appeals (5th Cir.):

North Cypress Med. Ctr. Operating Co., Ltd., et al. v. Cigna Healthcare, et al., No. 12-20695 (Mar. 10, 2015) (initial appeal)

North Cypress Med. Ctr. Operating Co., Ltd., et al. v. Cigna Healthcare, et al., No. 18-20576 (Mar. 19, 2020)

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