



**IN THE SUPERIOR COURT OF THE STATE OF DELAWARE**

RISEDELAWARE INC., *et al.*, )  
)  
Plaintiffs, )  
)  
v. )  
)  
SECRETARY CLAIRE DEMATTEIS, )  
in her official capacity as Secretary of )  
the Delaware Department of Human )  
Resources and Co-Chair of the State )  
Employee Benefits Committee, *et al.*, )  
)  
Defendants. )  
)

C.A. No. N22C-09-526 CLS

**STIPULATION FOR PARTIAL DISMISSAL OF COUNT III OF  
PLAINTIFFS' COMPLAINT**

WHEREAS, Plaintiffs RiseDelaware Inc., Karen Peterson and Thomas Penozza (collectively "Plaintiffs") filed this action against Defendants on September 25, 2022 (the "Complaint") in connection with the implementation of a new Medicare Advantage Plan for State retirees by the Delaware State Employee Benefits Committee ("SEBC") and other Defendants;

WHEREAS, Paragraphs 102-104 of Count III of the Complaint relate to whether the Defendant Secretary of the Department of Human Resources "provide[d] complete and accurate communications to Plaintiffs regarding the changes in retirees' benefits under the new Highmark Advantage plan" (the "Communications Claim");

WHEREAS, the parties have agreed to dismiss, without prejudice, the Communications Claim;

IT IS HEREBY STIPULATED by the parties that the Communications Claim (¶¶ 102-104 of Count III of the Complaint) is hereby dismissed, without prejudice, pursuant to Super. Ct. Civ. R. 41(a)(1)(II).

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Dated: November 18, 2022

DELAWARE DEPARTMENT OF JUSTICE

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Dated: November 18, 2022

IT IS SO ORDERED on this \_\_\_\_ day of November 2022.

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The Honorable Judge Calvin L. Scott Jr.