

*CLARK COUNTY IDAHO*  
**RESOLUTION NO. 04-23**

Pursuant to Idaho law and applicable county ordinances, the undersigned County Board of Commissioners of the County of Clark ("the County") within the State of Idaho do hereby adopt by the required vote the following resolution at a meeting held on the 12<sup>th</sup> day of October 2004:

**WHEREAS**, the County is a Member in good standing in the Government Employees Medical Plan ("GemPlan"), through which the County participates in a self-funded health care plan;

**WHEREAS**, GemPlan is currently involved as a plaintiff in a lawsuit against Regence Blue Shield of Idaho, Inc. ("Blue Shield"), and Blue Cross of Idaho Health Services, Inc. ("Blue Cross"), said lawsuit being Case No. CIV04-284-E-BLW in the United States District Court for the District of Idaho;

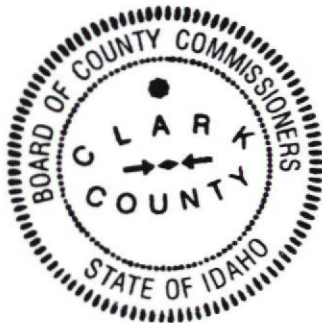
**WHEREAS**, it is the opinion of the County Board of Commissioners that it is advisable and in the best interest of the County that GemPlan be authorized and empowered to pursue and assert in said lawsuit any and all of the individual rights, claims, causes of action, interests, damages, or relief that the County may have or be entitled to arising from or relating in any way to any and all violations of federal or state antitrust laws committed by Blue Shile and/or Blue Cross occurring at any time prior to or after the creation of GemPlan.

**WHEREAS**, GemPlan has agreed to pursue and assert said rights, claims, causes of action, interests, damages, or relief in the aforementioned lawsuit at no direct expense to the County;

**WHEREAS**, GemPlan has agreed to that any and all monetary damages awarded to GemPlan as a result of its pursuit and assertion of said rights, claims, causes of action, interests, damages, or relief in the aforementioned lawsuit shall be held in trust by GemPlan for the benefit of the County and its other Members.

**IT IS HEREBY RESOLVED** that the County does hereby formally assign any and all of its individual rights, claims, causes of action, interests, damages, or relief that it may have or be entitled to arising from or relating in any way to any and all violations of federal or state antitrust laws committed by Blue Shield and/or Blue Cross occurring at any time prior to or after the creation of GemPlan, for the purpose of authorizing and empowering GemPlan to pursue and assert said rights, claims, causes of action, interests, damages, or relief in the aforementioned lawsuit.

**IN WITNESS WHEREOF**, the undersigned have set their hand as of the 12<sup>th</sup> day of October 2004.



Commissioner: [Signature]

Commissioner: [Signature]

Commissioner: [Signature]