## RECEIVED BEFORE THE TENNESSEE REGULATORY AUTHORITY 2009 DEC - 9 PM 3: 41 NASHVILLE, TENNESSEE T.R.A. DOCKET ROOM

IN RE:	)	
	)	
SHOW CAUSE PROCEEDING	)	DOCKET NO
AGAINST HEALTHCARE ADVANTAGE LLC/	)	09-00036
THE SELECT GROUP/ CHRIS WIGGINS	)	

## JOINT MOTION OF PETITIONER AND RESPONDENTS TO HOLD PROCEEDING IN ABEYANCE

Come now the Petitioner, the Consumer Services Division of the Tennessee Regulatory Authority, and the Respondents, Healthcare Advantage LLC/ The Select Group/ Chris Wiggins, and would show as follows:

- 1. On November 23, 2009, the Hearing Officer granted the Petitioner's Motion of Petitioner for Extension of Time to Respond to Chris Wiggins' Motion to Dismiss and the Response of Healthcare Advantage LLC and the Select Group to Show Cause Order of October 9, 2009 extending the time to respond until December 11, 2009.
- 2. The parties have reached a settlement in principal, and expect to file a proposed Settlement Agreement within three weeks.
- 3. The parties respectfully request that the Hearing Officer hold this proceeding in abeyance, pending action on such agreement by the Directors of the Authority.
- 4. If the Directors reject the agreement, the parties request that the proceeding recommence 14 days from the date of the Directors' action.

Premises considered, Petitioner and Respondents move to hold proceeding in abeyance pending action by the Directors on a Settlement Agreement.

Respectfully submitted,

Gary R. Hotvedt (#16468)

Tennessee Regulatory Authority 460 James Robertson Parkway

Nashville, TN 37243

Telephone: (615) 741-3191, ext. 212

Facsimile: (615) 741-9934 Email: Gary.Hotvedt@tn.gov

Counsel, Consumer Services Division, Tennessee Regulatory Authority

W. Davidson Broemel (#3606)

Burr & Forman LLP 700 Two American Center 3102 West End Avenue

Nashville, TN 37203

Telephone: (615) 724-3212 Facsimile: (615) 724-3290 Email: <u>DBroemel@burr.com</u>

Counsel, Healthcare Advantage LLC/ The Select Group/ Chris Wiggins

## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing *Joint Motion of Petitioner and Respondents* to *Hold Proceeding in Abeyance* has been served on the following by electronic mail or U.S. Mail to their office address, on this the 9<sup>th</sup> day of December, 2009:

W. Davidson Broemel, Esq. Burr & Forman LLP 700 Two American Center 3102 West End Avenue Nashville, TN 37203

Email: DBroemel@burr.com

Gary R. Hotvedt (#16468)

Counsel for the Consumer Services

Division of the Tennessee

Regulatory Authority