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September 27, 2011

## VIA E-MAIL & FIRST-CLASS MAIL

The Honorable Battle R. Robinson  
104 W. Market Street  
Georgetown, DE 19947

Re: Proposed Affiliation of BCBSD, Inc. with Highmark Inc.

Dear Judge Robinson:

Enclosed please find a corrected version of Exhibit 39 ("Statement of Support from Medical Society of Delaware") to the Prehearing Memorandum of the Department of Insurance. The enclosed Exhibit 39 replaces the Exhibit 39 submitted with the Department's Prehearing Memorandum on September 21, 2011. The Department inadvertently submitted an incorrect Exhibit 39 with the Department's Prehearing Memorandum.

The Department has also updated this Exhibit on the FTP site noted in the Department's letter, dated September 21, 2011, and has electronically provided the updated version of this Exhibit to the Parties, as indicated by the attached Service List.

The Department is available to discuss this or any other matter at Your Honor's convenience.

Respectfully,



Brenda R. Mayrack (No. 5253)

Enclosures

cc: See Attached Service List  
GianClaudio Finizio, Esquire

## SERVICE LIST

<p>The Honorable Battle R. Robinson 104 W. Market Street Georgetown, DE 19947 Phone: 302.856.2248 Email: <a href="mailto:robinsonr@ce.net">robinsonr@ce.net</a> <i>Hearing Officer</i></p> <p>and</p> <p>GianClaudio Finizio, Esquire Bayard, P.A. 222 Delaware Avenue, Suite 900 P.O. Box 25130 Wilmington, DE 19801 Phone: (302) 429-4240 Fax: (302) 658-6395 Email: <a href="mailto:gfinizio@bayardlaw.com">gfinizio@bayardlaw.com</a> <i>Counsel to Hearing Officer Robinson</i></p>	<p>Ian R. McConnell, Esquire Meredith Stewart Tweedie, Esquire Delaware Department of Justice Carvel State Office Bldg 820 N. French Street Wilmington, DE 19801 Phone: 302.577.8533 Fax: 302.577.6499 Email: <a href="mailto:ian.mcconnel@state.de.us">ian.mcconnel@state.de.us</a> Email: <a href="mailto:meredith.stewart@state.de.us">meredith.stewart@state.de.us</a></p> <p>and</p> <p>Cynthia R. Shoss, Esquire Dewey &amp; LeBoeuf 1301 Avenue of the Americas New York, New York 10019-6092 Phone: (212) 259-8129 Email: <a href="mailto:cshoss@dl.com">cshoss@dl.com</a> <i>Counsel to Delaware Department of Justice</i></p>
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