

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

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ALEXANDER PANGBORN,		:
Plaintiff		:
		:
v.		:
		:
CARE ALTERNATIVES OF		:
MASSACHUSETTS, LLC D/B/A	Civil Action No. 3:20-cv-30005-MGM	:
ASCEND HOSPICE; and CARE ONE		:
MANAGEMENT, LLC,		:
Defendants		:
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**AFFIDAVIT OF SHARON M. ZEIGLER IN SUPPORT OF
DEFENDANT’S MOTION TO STAY**

I, Sharon M. Zeigler, having first been fully sworn, do hereby make of my own personal knowledge the following statement:

1. I am a person of the full age of majority and a resident of the Commonwealth of Massachusetts. I give this affidavit in connection with the litigation involving Alexander Pangborn.
2. I am the Vice President of Human Resource Operations for Care One Management, LLC (“Care One Management”).
3. Care One Management provides management and advisory services to healthcare organizations and facilities, including Care Alternatives of Massachusetts, LLC d/b/a Ascend Hospice (“Ascend Hospice”).
4. Care One Management has its principal place of business in New Jersey.

5. As a result of the growing number of positive cases of COVID-19 in New Jersey, the skilled nursing centers that Care One Management supports have been specifically called upon by the State of New Jersey to be on the front-lines of New Jersey's response efforts.

6. For example, on March 24, 2020, CareOne at Hanover in Whippany – was asked, and later directed by the New Jersey Department of Health (“DOH”) - to relocate all of its own residents in order to accommodate all senior residents of St. Joseph's Senior Home in Woodbridge, New Jersey (24 of whom had tested positive for COVID-19 and the remaining 70 were presumed to be positive) because they were unable to receive required care as a result of their caretakers also having been exposed to the virus.

7. The New Jersey Department of Health has called upon five (5) other skilled nursing centers which Care One Management assists to be dedicated exclusively to treating COVID-19 positive patients.

8. Care One Management is actively in discussions with the Commonwealth of Massachusetts and local officials about providing additional support to combat this international pandemic and national crisis here.

9. Care One Management, provides Ascend Hospice employees the opportunity to receive health benefits through CareOne Management's self-funded benefit plans including the Open Access Aetna Select plan (“Plan”).

10. Aetna Life Insurance Company provides third party administrative services to the Plan.

11. There are over 4,600 participants in the self-funded health and welfare plans offered by CareOne Management across 25 different states.

12. The Plan has over 1350 participants in 18 different states, including Massachusetts.

13. The self-funded plans offer different benefits for different disabilities and exclude certain care altogether.

14. The Plan expressly excludes “[a]ny treatment, drug, service or supply related to changing sex or sexual characteristics.”

Signed under the pains and penalties of perjury.

/s/ Sharon M. Zeigler
Sharon M. Zeigler

Dated: April 30, 2020