

DECLARATION OF JULES M. FERNANDEZ
PURSUANT TO 28 U.S.C. § 1746

I, Jules M. Fernandez, hereby declare as follows:

1. My name is Jules M. Fernandez. I live in Georgia and am over eighteen years of age. I have personal knowledge of the facts stated in this declaration, and if called as a witness, I could and would competently testify to these same facts.

Background

2. On or about October 10, 2017, I underwent surgery. At that time, I had insurance with Blue Cross Blue Shield (“BCBS”), through my employer. Prior to the surgery, my surgeon informed me that my deductible was \$6500.00. As I was unable to afford the deductible, my surgeon contacted BCBS and negotiated the deductible down to \$2000.00. Because I needed the surgery, I paid the \$2000, but it was too expensive for me to continue with that policy. After my surgery, I spoke with friends and co-workers about their insurance policies and prices in order to find more affordable insurance. I received some suggestions and advice, but did not take action on any of them.

3. Approximately one week after my surgery, I received emails regarding health insurance. I opened one email with “Obamacare” in the subject heading. I do not remember the sender or the information contained within the email, but I remember the email was about “affordable health insurance,” and it contained a link to follow for more information. I clicked on the link, and I was directed to a website to which I submitted my name and contact information to receive an insurance quote.

Sales Call

4. Immediately after I sent my information through the insurance quote link, on that same day, I received a call from a female representative of Simple Health. I do not remember

the representative's name. The female representative asked about my current insurance status, medical history including pre-existing conditions, and insurance requirements including coverage and cost. I told her that I could afford around \$75.00 for the monthly premium and I wanted a policy with a lower deductible. She put me on a brief hold. After a few minutes, she informed me that she found a health insurance policy for me. She then transferred me to another representative.

5. I next spoke to a male representative from Simple Health. The representative said that the insurance plan that they found for my budget is through First Health. The representative stated that First Health is a "top-rated" insurance company that would be accepted "everywhere." He explained that some of the First Health insurance benefits included no out-of-pocket expenses for major healthcare services; acceptance at every hospital and urgent care center; low deductible, and; depending on the doctor, I may or may not have a co-pay. Then, the representative said the cost of the premium is \$125.00 every month and coverage would begin on November 17, 2017. He also indicated that the cost to enroll is a one-time fee of \$125.00. Therefore, the total cost to enroll including my premium is approximately \$250.00. I thought this was a good policy because I had just undergone surgery and I did not want to have an insurance policy with a high premium and high out-of-pocket expenses.

6. I agreed to enroll and purchase the health insurance, and I provided the representative with my bankcard information. He then said he would transfer me to the verification department. Before transferring, he instructed me to agree to the benefits and hold all questions until the end of the verification process and further stated that they will have to restart the process if I ask any questions. After transferring me to the verification department, the next representative also instructed me to hold my questions until the end of the verification

process and he also stated that the call was being recorded. I do not know if he was reading from a script but I did not understand what exactly he was talking about. At some point during the verification process, the representative said something that made me suspicious. Specifically, the representative confused me as to whether he represented Simple Health or First Health. I asked him which company he represented and the representative said Simple Health and First Health were the essentially the same company. The representative then told me that he would have to restart the verification process. The verification process took longer than 45 minutes and I did not want to go through it all again. I told the representative that I did not have any more time and I ended the call. I told him to call me back the following Monday, but when he did, I ignored the call.

7. Over time, I received multiple other calls, which I believe were from Simple Health. I answered one call but I do not remember the date. The male representative attempted to sell me the same plan that the last representative tried to sell me during the verification process. He asked for personal information, which made me suspicious because I already provided it once before during the initial sales call and verification process. I told him that I no longer wanted the insurance plan and he abruptly hung up. I tried calling Simple Health to confirm cancellation but each time the representative hung up on me or the voice prompts led to a dead end.

8. During the next week, I started researching Simple Health, its products, and reviews. I found that Simple Health had poor reviews and many people warned that Simple Health is a “scam.” I was worried that in spite of not completing the verification process, Simple Health might still charge my card. Therefore, I immediately went to my bank and cancelled my bankcard. I was not charged by Simple Health. However, I received and continue to receive

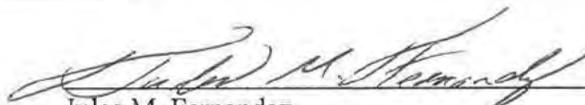
calls from Ft. Lauderdale, Florida, which I believe to be from Simple Health. I hang up and/or block their calls. I never received any insurance card or insurance documents in the mail.

9. I am concerned about the personal information I provided to Simple Health. Specifically, I gave them my social security number and I am greatly concerned I may become a victim of identity theft.

10. On October 31, 2017, I filed a complaint with the Better Business Bureau against Simple Health.

I declare under penalty of perjury that the foregoing statement is true and correct.

Executed on February 12, 2018.


Jules M. Fernandez