This memorandum is uncorrected and subject to revision before publication in the New York Reports.

No. 15

Aetna Health Plans, &c., Appellant,

V.

Hanover Insurance Company, Respondent.

Jonathan A. Dachs, for appellant.
Barry Levy, for respondent.
American Insurance Association, <u>amicus curiae</u>.

Reargument ordered and case set down for argument during a future session of this Court. Judges Pigott, Rivera, Abdus-Salaam, Stein and Fahey concur. Chief Judge DiFiore and Judge Garcia took no part.

Decided February 23, 2016