

B. Dr. Schubert's Responses in the Application Did Not Reflect Her Medical and Health History.

19. In Question 3ii of the Representations to the Medical Examiner (Part 2) signed on March 3, 2019, Dr. Schubert was asked: "In the last ten years, have you had, been treated for, or received a consultation or counseling for: diabetes or disorder of the glands, bone, blood or skin?". She answered [REDACTED]. (Ex. 1 at p. 61 of 68; Ex. 2 at p. 45 of 52).

20. In Question 10 of the Representations to the Medical Examiner (Part 2) signed on March 3, 2019, Dr. Schubert was asked: "Within the past five years, have you had a physical exam or check-up of any kind?" She answered [REDACTED]. (Ex. 1 at p. 62 of 68; Ex. 2 at p. 46 of 52).

21. In Question 13 of the Representations to the Medical Examiner (Part 2) signed on March 3, 2019, Dr. Schubert was asked: "Other than as previously stated on this Representations, in the last five years have you received medical advice from physicians, medical or mental health professionals, counselors, psychotherapists, or other practitioners, or have you been a patient in a hospital, clinic, sanatorium, or other medical facility?". She answered [REDACTED]. *Id.*

22. On or about June 6, 2019, Dr. Schubert signed a Delivery Receipt, acknowledging delivery of the Policies and acceptance of the Policies as delivered to her, and which provides, directly above Dr. Schubert's signature: "The Application/Insured represents that the statements and answers in the application and any requirement supplements or other documents required as part of the application for the policy were complete and true when made, and that no changes have occurred that would make said statements and answers incorrect or incomplete as of the present date, except as amended or modified in any amendment(s) attached thereto." (Exs. 1 and 2 at p. 7).