

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

	)	
MAINE COMMUNITY HEALTH OPTIONS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 17-2057C
	)	Judge Margaret M. Sweeney
	)	
THE UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	
	)	
	)	

**PLAINTIFF’S UNOPPOSED MOTION TO WITHDRAW ITS MOTION FOR SUMMARY JUDGEMENT AND FILE AN UPDATED BRIEF**

Plaintiff Maine Community Health Options respectfully requests withdrawal of its Motion for Summary Judgment so that it may file an updated brief given the recent decisions at the Federal Circuit in *Land of Lincoln Mutual Health Insurance Co. v. United States*, No. 17-1224 and *Moda Health Plan, Inc. v. United States*, No. 17-1994. Plaintiff further requests that the Court allow Plaintiff until July 16, 2018, to file the updated brief, and allow Defendant until September 7, 2018, to file its response thereto. The parties have conferred, and Defendant does not oppose this motion.

Plaintiff filed its complaint on December 28, 2017, and subsequently moved for summary judgment on January 12, 2018. Thereafter, Defendant moved to stay the proceedings, and this Court granted Defendant’s motion, pending the Federal Circuit’s decisions in *Land of Lincoln* and *Moda*.

The Federal Circuit issued its decisions in *Land of Lincoln* and *Moda* on June 14, 2018, which, as this Court recognizes, addressed certain issues with regard to the Government’s obligation to pay insurers under the Affordable Care Act. Plaintiff respectfully requests that this

Court allow Plaintiff to withdraw its previously-filed Motion for Summary Judgment and submit an updated brief by July 16, 2018, and allow Defendant until September 7, 2018, to file its response thereto. Defendant does not oppose this motion.

Dated: June 26, 2018

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I certify that on June 26, 2018, a copy of the forgoing motion was filed electronically using the Court's Electronic Case Filing (ECF) system. I understand that notice of this filing will be served on Defendant's Counsel via the Court's ECF system.

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