

United States Court of Federal Claims

No. 16-967 C

(Filed November 18, 2016)

MAINE COMMUNITY HEALTH)
OPTIONS,)
)
Plaintiff,)
v.)
)
THE UNITED STATES,)
)
Defendant.)

ORDER

The following motions are currently before the court in this matter: (1) Defendant’s Motion to Stay, filed October 31, 2016 and fully briefed as of November 16, 2017; (2) Plaintiff’s Motion for Summary Judgment, filed November 3, 2016, with defendant’s response to plaintiff’s motion due to be filed on or before December 5, 2016; and, (3) Plaintiff’s Motion for a Pretrial Conference to Establish Schedule for the Expedited Disposition of this Action, filed November 17, 2016, with defendant’s response due to be filed on or before December 5, 2016.

The court is currently engaged in the preparation of its decision on defendant’s pending Motion to Stay. In an effort to promote judicial economy and conserve the time and resources of the court and the parties, the court shall defer the government’s deadline to file its response to plaintiff’s motion for summary judgment in this matter until a decision has been issued on defendant’s pending motion to stay.

A cursory review of plaintiff’s Motion for A Pretrial Conference finds that it mostly reiterates plaintiff’s plea to *not* stay this matter. The court finds that the convening of a pretrial conference would be premature at this juncture and would distract the court from resolving the pending motion to stay. For this reason,

plaintiff's motion for a pretrial conference is denied.

In an effort to properly manage and clarify the docket in this matter, the court turns to defendant's deadline to file its response to plaintiff's complaint. Pursuant to Rule 12(a)(4)(A)(i) of the Rules of the Court of Federal Claims (RCFC), the filing of plaintiff's motion for summary judgment altered defendant's responsive deadline to plaintiff's complaint. Therefore, the November 28, 2016 deadline previously set for the filing of the government's response to plaintiff's complaint is now moot until further order of the court on plaintiff's motion for summary judgment.

Accordingly, it is hereby **ORDERED** that (1) the Clerk's Office is directed to **SUSPEND** the government's response deadline of December 5, 2016, regarding Plaintiff's Motion for Summary Judgment, until further order of the court; and (2) Plaintiff's Motion for A Pretrial Conference to Establish Schedule for the Expedited Disposition of this Action, filed November 17, 2016, is **DENIED**.

s/James F. Merow
James F. Merow
Senior Judge