

In the United States Court of Federal Claims

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MONTANA HEALTH CO-OP,)	
)	
Plaintiff,)	
)	No. 18-143C
v.)	(Filed: October 5, 2018)
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	
)	
)	
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ORDER

On September 4, 2018 this Court granted summary judgment as to liability in this case, holding that the United States was statutorily obligated to provide the Plaintiff, Montana Health Co-op, with cost-sharing reduction (CSR) payments for the fourth quarter of 2017, and that this obligation was not vitiated by Congress’s failure to appropriate funds for that purpose. See Op. & Order, ECF No. 18. The United States has since agreed that had a valid appropriation for CSR payments been available, the amount it would have owed Montana Health for the fourth quarter of 2017, following benefit year 2017 reconciliation, is \$1,234,058.79. Joint Status Report at 1–2, ECF No. 21. Montana Health therefore has requested that the Court enter a final order awarding it \$1,234,058.79, representing the cost-sharing reduction payments that would have been due and owed to Montana Health for the fourth quarter of 2017 following reconciliation.

Based on the representations made in the parties’ Joint Status Report, and in accordance with Rule 54 of the Rules of the Court of Federal Claims, the Clerk is directed to enter final

judgment for Plaintiff Montana Health Co-op in the amount of \$1,234,058.79. Costs are awarded to Plaintiff.

IT IS SO ORDERED.

s/ Elaine D. Kaplan
ELAINE D. KAPLAN
Judge