

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**

LAND OF LINCOLN MUTUAL HEALTH
INSURANCE COMPANY,

Plaintiff-Appellant,

v.

UNITED STATES,

Defendant-Appellee.

No. 17-1224

**RESPONSE IN OPPOSITION TO HIGHMARK GROUP'S MOTION FOR
LEAVE TO FILE UNTIMELY AMICUS BRIEF**

A group of insurers (the Highmark group) that filed an amicus brief on the merits in this appeal (Doc. 63) has now moved for leave to file an amicus brief in support of plaintiff's motion to assign related cases to the same panel. Plaintiff's motion is fully briefed, so the Highmark group's motion should be denied as untimely. Accordingly, we have refrained from addressing the substance of the Highmark group's arguments.

Respectfully submitted,

MARK B. STERN

s/ Alisa B. Klein

ALISA B. KLEIN

(202) 514-1597

Attorneys, Appellate Staff

Civil Division

U.S. Department of Justice

950 Pennsylvania Ave., NW, Rm. 7235

Washington, DC 20530

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CERTIFICATE OF SERVICE

I hereby certify that on May 18, 2017, I electronically filed the foregoing document with the Clerk of the Court by using the appellate CM/ECF system. I certify that the participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

/s/ Alisa B. Klein

Alisa B. Klein