

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

COMMUNITY HEALTH)	
CHOICE, INC.,)	
)	No. 18-05 C
Plaintiff,)	(Chief Judge Sweeney)
)	
v.)	
)	
THE UNITED STATES,)	
)	
Defendant.)	

UNITED STATES’ UNOPPOSED MOTION FOR AN EXTENSION OF TIME TO FILE JOINT STATUS REPORT

Pursuant to Rule 6.1 of the Rules of the United States Court of Federal Claims (RCFC), defendant, the United States, respectfully requests that the Court grant a 5-day extension of time, to and including March 5, 2019, for the parties to file a joint status report. The current joint status report deadline is February 28, 2019. On February 26, 2019, plaintiff’s counsel stated that plaintiff does not oppose this motion.

Good cause exists to grant the requested relief. On February 15, 2019, the Court issued a decision granting plaintiff’s motion for summary judgment on its statutory and implied contract cost-sharing reduction claims, (Am. Compl., Counts IV, VI), and granting the United States’ motion to dismiss plaintiff’s express contract cost-sharing reduction claim (Am. Compl., Count V). *See* Order, ECF No. 28 (Feb. 15, 2019). The Court directed the parties to prepare a joint status report as follows:

By no later than Thursday, February 28, 2019, the parties shall file a joint status report indicating the amount due to plaintiff for its unpaid cost-sharing reduction reimbursements, taking care to separately indicate the amount due for 2017 and the amount due for 2018. If the parties are unable to provide the amount due for 2018, they shall (1) suggest a deadline for providing the court with that information and (2) indicate whether an RCFC 54(b) judgment

limited to the cost-sharing reduction claim for 2017 would be appropriate.

Id. at 27. Further, the Court stated that “[i]f the parties are able to provide the amount due for 2018, the court will direct the entry of judgment on plaintiff’s cost-sharing reduction claim for 2017 and 2018 pursuant to RCFC 54(b).” *Id.*

The parties have reached agreement about the 2017 CSR amount; however, the United States needs additional time to confer internally and with the agency about plaintiff’s proposal regarding the calculation of 2018 CSR amounts. The requested extension will afford the United States sufficient time to consider plaintiff’s proposal and articulate its position, such that the parties may prepare a helpful joint status report.

For these reasons, the Government respectfully requests that the Court grant this unopposed motion for a 5-day enlargement of time, to and including March 5, 2019, for the parties to file a joint status report.

Respectfully submitted,

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